IMT Nuremberg Archives

H – 1136

International Court of Justice

Brk X

H1136 -0002

MEMBERS OF THE ORDINARY CABINET (1933-1945)
(Mitgliedern des ordentlichen Kabinetts)

(a) HEADS OF DEPARTMENTS OF THE CENTRAL GOVERNMENT (REICH MINISTERS) (Leiter von Ressorts der Zentralregierung)

AIR (REICHSLUFTFAHRTMINISTER):

Göring, Hermann

5 May 1933 - March 1945.

351-PS, list of Cabinet members and minutes of session, 30 January 1933.

2089-PS, 1933, RGBl, I, 241.

ARMAMENTS AND WAR PRODUCTION:

Todt, Fritz. "Minister of Armaments and Munitions", (Reichsminister für Bewaffnung und Munition). (Deceased).

17 March 1940 - 8 February 1942.

2091-PS, 1940, RGBl, I, 513.

Speer, Albert. "Minister of Armaments and War Production", (Reichsminister für Rüstung und Kriegsproduktion).

9 February 1942 - March 1945.

Das Archiv, February 1942, page 1015.

2092-PS, 1943, RGBl, I, 529.

CHURCH AFFAIRS: (Reichsminister für die Kirchlichen Angelegenheiten).

Kerrl, Hans. (deceased)

16 July 1935 - 13 December 1942.

351-PS, supra.

2090-PS, 1935, RGBl, I, 1029.

Muhs, Hermann, acting. (mit der Führung der Geschäfte)

3 February 1942 - March 1945.

1997-PS, file on Cabinet appointments from the Presidential Chancellery.

H1136-0003

ECONOMICS (Reichswirtschaftminister)

Hugenberg, Alfred.

30 January 1933 - 29 June 1933.

351-PS, supra.

"Volkischer Beobachter, North German edition, 31 January 1933.

Schmitt, Kurt.

30 June 1933 - 30 July 1934.

351-PS, supra.

"Volkischer Beobachter, 1 July 1933, page 2.

Schacht, Hjalmar, acting. (mit der "Fuhrung der Geschafte").

30 July 1934 - 26 November 1937.

351-PS, supra.

"Volkischer Beobachter, Munich edition, 31 January 1935.

Das Archiv, August 1934, page 715.

Goering, Hermann, acting (mit der "Führung der Geschäfte").

26 November 1937 - 15 January 1938.

Das Archiv, November 1937, page 1021.

Funk, Walter.

15 January 1938 - March 1945.

Das Archiv, November 1937, page 1021.

EDUCATION (Reichsminister "für Wissenschaft, Erziehung und Volksbildung):

Rust, Bernard.

1 May 1934 - March 1945.

Das Archiv, May 1934, page 227.

2078-PS, 1934, RGBl, I, page 365.

FINANCE (Reichsfinanzminister):

Schwerin von Krosigk, Lutz.

30 January 1933 - March 1945.

"Volkischer Beobachter, North German edition, 31 January 1933.

H1136 - 0004

FOOD AND AGRICULTURE (Reichsminister für Ernährung und Landwirtschaft)

Hugenberg, Alfred.

30 January 1933 - 29 June 1933.

351-PS, supra.

Völkischer Beobachter, North German edition, 31 January 1933.

Darré, Walter R.O.

30 June 1933 - March 1945. (On leave since May 1942).

Völkischer Beobachter, South German edition, 1 July 1933, page 2.

Das Archiv, May 1942, page 195.

Backe, Herbert, acting (mit der Führung der Geschäfte)

23 May 1942 - March 1945 (with title of Reich Minister as of 4 April 1944).

Das Archiv, May 1942, page 195.

1997-PS, supra.

FOREIGN AFFAIRS (Reichsminister des Auswärtigen).

von Neurath, Constantin W. F.

30 January 1933 - 4 February 1938.

351-PS, supra.

Volkischer Beobachter, North German edition, 31 January 1933.

von Ribbentrop, Joachim.

4 February 1938 - March 1945.

Das Archiv, February 1938, page 1417.

INTERIOR (Reichsminister des Innern):

Frick, Wilhelm.

30 January 1933 - 25 August 1943.

351-PS, supra.

Volkischer Beobachter, North German edition, 31 January 1933.

Himmler, Heinrich. (deceased).

25 August 1943 - March 1945.

Das Archiv, August 1943, page 347.

H1136-0005

JUSTICE (Reichsjustizminister):

Gürtner, Franz (deceased).

1 February 1933 - 29 January 1941.

351-PS, supra.

Völkischer Beobachter, North German edition, 2 February 1933.

Schlegelberger, Franz, acting (mit der Führung der Geschäfte)

29 January 1941 - 20 August 1942.

Das Archiv, January 1941, page 1000.

Thierack, Otto.

20 August 1942 - March 1945.

1997-PS, supra.

LABOR (Reichsarbeitsminister):

Seldte, Franz.

30 January 1933 - March 1945.

351-PS, supra.

Völkischer Beobachter, North German edition, 31 January 1933.

OCCUPIED EASTERN TERRITORIES (Reichsminister für die besetzen Ostgebiete)

Rosenberg, Alfred.

17 July 1941 - March 1945.

1997-PS, supra.

POPULAR ENLIGHTENMENT AND PROPAGANDA. (Reichsminister für Volksaufklärung und Propaganda)

Goebbels, Paul Joseph. (deceased)

13 March 1933 - March 1945.

351-PS, supra.

Völkischer Beobachter, Munich edition, 14 March 1933, page 2.

POSTS (Reichspostminister)

von Eltz-Rübenach, Peter Paul.

30 January 1933 - 2 February 1937.

351-PS, supra.

Völkischer Beobachter, North German edition, 31 January 1933.

1534-PS, letter of resignation, 30 January 1937.

H1136 - 0006

Ohnesorge, Wilhelm.

2 February 1937 - March 1945.

Das Archiv, February 1937, page 1619.

TRANSPORT (Reichsverkehrminister):

von Eltz Rübenach, Peter Paul.

30 January 1933 - 2 February 1937.

351-PS, supra.

Völkischer Beobachter, North German edition, 31 January 1933.

1534-PS, supra.

Dörpmuller, Julius.

2 February 1937 - March 1945.

Das Archiv, February 1937, page 1619.

WAR (Reichskriegsminister):

von Blomberg, Werner Eduard Fritz.

30 January 1933 - 4 February 1938.

351-PS, supra.

Völkischer Beobachter, North German edition, 31 January 1933.

(b) REICH MINISTERS WITHOUT PORTFOLIO (Reichsminister ohne Geschaeftsbereich).

THE CHIEF OF THE OKW (Chef des OKW) with the rank of Reich Minister.

Keitel, Wilhelm.

4 February 1938 - March 1945.

1915-PS, 1938, RGBl, I, 111.

THE CHIEF OF THE REICH CHANCELLERY (Chef der Reichskanzlei).

Lammers, Hans Heinrich.

30 January 1933 - March 1945. Appointed State Secretary and Chief of the Reich Chancellery 30 January 1933, and as Reich Minister, 26 November 1937.

1937, RGBl, I, 1297.

351-PS, supra.

Das Archiv, November 1937, page 1021.

THE DEPUTY OF THE FUEHRER (Stellvertreter), a "Member of the Reich Cabinet " (Mitglieder der Reichsregierung).

Hess, Rudolph.

1 December 1933 - 26 May 1941.

351-PS, supra.

1395-PS, 1933, RGBl, I, 1016.

THE CHIEF OF STAFF OF THE SA (Chef des Stabes der SA), a "Member of the Reich Cabinet", (Mitglieder der Reichsregierung).

Roehm, Ernst (deceased)

1 December 1933 - 30 June 1934.

1395-PS, 1933, RGBl, I, 1016.

THE LEADER OF THE PARTY CHANCELLERY (Leiter der Partei-Kanzlei), a member of the cabinet with authority of Reich Minister.

Bormann, Martin.

29 May 1941 - March 1945.

2099 PS, 1941, RGBl, I, 295.

2100 PS, 1943, RGBl, I, 75.

Goering, Hermann (See also above under Heads of Departments).

30 January 1933 - 5 May 1933

351-PS, supra.

"Völkischer Beobachter, North German edition, 31 January 1933.

Frank, Hans

13 December 1934 - March 1945.

351-PS, supra.

Das Archiv, December 1934, page 1197.

von Neurath, Constantin K.F. (See also above under Heads of Departments).

4 February 1938 - March 1945. Retained the title of Reich Minister upon appointment as President of the Secret Cabinet Council.

Das Archiv, February 1938, page 1417.

Ibid, August 1943, page 348.

H1136 - 0007

H1136 - 0008

Schacht, Hjalmar (See also above under Heads of Departments).

26 November 1937 - 21 January 1943.

Das Archiv, November 1937, page 1021.

1997-PS, supra.

Seyss-Inquart, Arthur.

1 May 1939 - March 1945.

Das Archiv, May 1939, page 212.

Frick, Wilhelm.

25 August 1943 - March 1945. Retained the title of Reich Minister upon his appointment 25 August 1943 as Reich Protector for Bohemia and Moravia.

Das Archiv, August 1943, page 347.

Hierl, Konstantin.

20 August 1943 - March 1945. (Prior to this time as Reich Labor Leader (Reichsarbeitsfuehrer), on 30 January 1937 he had been given the right to participate in Cabinet meetings as far as his jurisdiction was concerned.

2094-PS, 1937, RGBl, I, 95.

2095-PS, 1943, RGBl, I, 495.

Taschenbuch für Verwaltungsbeamte, 1943, page 13.

(c) STATE MINISTERS ACTING AS REICH MINISTERS. (Staatsminister in der Funktion von Reichsministern).

THE STATE MINISTER OF THE PROTECTOR OF BOHEMIA AND MORAVIA.

Frank, Karl Hermann.

(With the rank of Reich Minister).

25 August 1943 - March 1945.

Das Archiv, August 1943, page 348.

H1136 - 0009

THE STATE MINISTER AND CHIEF OF THE PRESIDENTIAL CHANCELLERY (Chef der Prasidialkanzlei).

Otto Meissner.

1 December 1937 - March 1945.

1997-PS, supra.

2097-PS, 1937, RGBl, I, 1317.

(d) OTHERS ENTITLED TO TAKE PART IN CABINET MEETINGS.(andere Beamte, die zur Teilnahme an den Kabinettssitzungen berechtigt waren).

THE COMMANDER-IN-CHIEF OF THE ARMY (Oberbefehlshaber des Heeres).

von Fritsch, Werner, with the rank of Reich Minister (deceased).

20 April 1936 - February 4, 1938.

Das Archiv, April 1936, page 45.

von Brauchitsch, Walter H.A.A., with the rank of Reich Minister, and the right to sit in cabinet meetings.

25 February 1938 - 21 December 1941.

2098-PS, 1938, RGBl, I, 215.

THE COMMANDER IN CHIEF OF THE NAVY (Oberbefehlshaber der Kriegsmarine).

Raeder, Erich, given the rank of Reich Minister 20 April 1936, and the right to sit in cabinet meetings 25 February 1938 - 30 January 1943.

Das Archiv, April 1936, page 45.

2098-PS, 1938, RGBl, I, 215.

Doenitz, Karl, with the right to sit in Cabinet meetings.

30 January 1943 - March 1945.

2098-PS, 1938, RGBl, I, 215.

Völkischer Beobachter, South German edition, 31 January 1943.

THE REICH FORESTMASTER (Reichsforstmeister) with the authority of a Reich Minister).

Goering, Hermann.

12 July 1934 - March 1945.

2093-PS, 1934, RGBl, I, 617.

Das Archiv, July 1934, page 519.

THE INSPECTOR GENERAL OF GERMAN HIGHWAYS (Generalinspektor fur das deutcheStrassenwesen) with the authority of a Reich Minister.

Todt, Fritz (deceased).

3 April 1941 - 8 February 1942.

2101-PS, 1941, RGBl, I, page 192,

1942, RGBl, I, page 80.

Speer, Albert.

9 February 1942 - March 1945.

Das Archiv, February 1942, page 1015.

1942, RGBl, I, page 80.

THE INSPECTOR GENERAL FOR WATER AND POWER, (Generalinspektor fuer Wasser und Energie), with the authority of a Reich Minister.

Todt, Fritz (deceased)

29 July 1941 - 8 February 1942.

2102-PS, 1941, RGBl, I, 467.

1942, RGBl, I, page 80.

Speer, Albert.

9 February 1942 - March 1945.

Das Archiv, February 1942, page 1015.

1942, RGBl, I, page 80.

THE REICH YOUTH LEADER (Jugendführer des Deutschen Reichs).

Baldur von Schirach.

1 December 1936 - 10 August 1940.

Deutscher Beamten-Kalendar, 1941, page 104.

Taschenbuch für Verwaltungsbeamte, 1939, page 3.

Axmann, Arthur.

10 August 1940 - March 1945.

Das Archiv , August 1940, page 467.

2959-PS, Neugestaltung von Recht und Wirtschaft, Heft 14, Verwaltungsrecht, Stuckart and von Rosen, 1944, page 68.

H1136 -0010

THE CHIEF OF THE FOREIGN ORGANIZATION OF THE FOREIGN OFFICE (Chef der Auslandsorganisation im Auswartigen Amt) with the right to take part in Cabinet meetings when his jurisdiction was concerned.

Bohle, Ernst W.

30 January 1937 - March 1945.

2075-PS, 1937, RGBl, I, 187.

THE CHIEF OF THE GERMAN POLICE IN THE REICH MINISTRY OF THE INTERIOR (Chef der Deutschen Polizei im Reichsministerium des Innern), with the right to take part in Cabinet meetings if his jurisdiction was concerned.

Himmler, Heinrich. (See also above under Heads of Departments).

17 June 1936 - 25 August 1943.

2073-PS, 1936, RGBl, I, 487.

THE PRUSSIAN FINANCE MINISTER (Preussische Finanzminister)

von Popitz, Eduard H. J.

30 January 1933 - July 1944. (Reported to be dead).

1774-PS, excerpt from Ernst Rudolf Huber, Verfassungsrecht des Grossdeutschen Reichs, page 225 of original, page 2 of translation.

THE COMMISSIONER FOR THE CREATION OF EMPLOYMENT. (Reichskommissar fur Arbeitsbeschaffung).

Gereke, Dr.

30 January 1933 - April 1933 (?).

Völkischer Beobachter, North German edition, 31 January 1933.

THE CABINET PRESS CHIEF (Presschef der Reichsregierung).

Funk, Walter. (See also above under Heads of Departments).

30 January 1933 - 26 November 1937.

351-PS, supra.

Dietrich, Otto.

26 November 1937-March 1945.

Das Archiv, November 1937, page 1102.

Taschenbuch für Verwaltungsbeamte, 1943, page 4.

National Socialist Yearbook, 1944, page 291.

H1136-0011

H1136 - 0012

MEMBERS OF THE ORDINARY CABINET (1933-1945)
(Mitgliedern des ordentlichen Kabinetts)

(a) HEADS OF DEPARTMENTS OF THE CENTRAL GOVERNMENT (REICH MINISTERS) (Leiter von Ressorts der Zentralregierung)

AIR (REICHSLUFTFAHRTMINISTER):

Göring, Hermann

5 May 1933 - March 1945.

351-PS, list of Cabinet members and minutes of session, 30 January 1933.

2089-PS, 1933, RGBl, I, 241.

ARMAMENTS AND WAR PRODUCTION:

Todt, Fritz. "Minister of Armaments and Munitions", (Reichsminister für Bewaffnung und Munition). (Deceased).

17 March 1940 - 8 February 1942.

2091-PS, 1940, RGBl, I, 513.

Speer, Albert. "Minister of Armaments and War Production", (Reichsminister für Rustung und Kriegsproduktion).

9 February 1942 - March 1945.

Das Archiv, February 1942, page 1015.

2092-PS, 1943, RGBl, I, 529.

CHURCH AFFAIRS: (Reichsminister für die Kirchlichen Angelegenheiten).

Kerrl, Hans. (deceased)

16 July 1935 - 13 December 1942.

351-PS, supra.

2090-PS, 1935, RGBl, I, 1029.

Muhs, Hermann, acting. (mit der Führung der Geschafte)

3 February 1942 - March 1945.

1997-PS, file on Cabinet appointments from the Presidential Chancellery.

H1136-0013

ECONOMICS (Reichswirtschaftminister)

Hugenberg, Alfred.

30 January 1933 - 29 June 1933.

351-PS, supra.

"Volkischer Beobachter, North German edition, 31 January 1933.

Schmitt, Kurt.

30 June 1933 - 30 July 1934.

351-PS, supra.

"Volkischer Beobachter, 1 July 1933, page 2.

Schacht, Hjalmar, acting. (mit der "Führung der Geschäfte").

30 July 1934 - 26 November 1937.

351-PS, supra.

"Volkischer Beobachter, Munich edition, 31 January 1935.

Das Archiv, August 1934, page 715.

Goering, Hermann, acting (mit der "Führung der Geschäfte).

26 November 1937 - 15 January 1938.

Das Archiv, November 1937, page 1021.

Funk, Walter.

15 January 1938 - March 1945.

Das Archiv, November 1937, page 1021.

EDUCATION (Reichsminister für "Wissenschaft, Erziehung und Volksbildung):

Rust, Bernard.

1 May 1934 - March 1945.

Das Archiv, May 1934, page 227.

2078-PS, 1934, RGBl, I, page 365.

FINANCE (Reichsfinanzminister):

Schwerin von Krosigk, Lutz.

30 January 1933 - March 1945.

"Völkischer Beobachter, North German edition, 31 January 1933.

H1136-0014

FOOD AND AGRICULTURE (Reichsminister für Ernährung und Landwirtschaft)

Hugenberg, Alfred.

30 January 1933 - 29 June 1933.

351-PS, supra.

Völkischer Beobachter, North German edition, 31 January 1933.

Darré, Walter R.O.

30 June 1933 - March 1945. (On leave since May 1942).

Völkischer Beobachter, South German edition, 1 July 1933, page 2.

Das Archiv, May 1942, page 195.

Backe, Herbert, acting (mit der Führung der Geschäfte)

23 May 1942 - March 1945 (with title of Reich Minister as of 4 April 1944).

Das Archiv, May 1942, page 195.

1997-PS, supra.

FOREIGN AFFAIRS (Reichsminister des Auswärtigen).

von Neurath, Constantin U. K.

30 January 1933 - 4 February 1938.

351-PS, supra.

Völkischer Beobachter, North German edition, 31 January 1933.

von Ribbentrop, Joachim.

4 February 1938 - March 1945.

Das Archiv, February 1938, page 1417.

INTERIOR (Reichsminister des Innern):

Frick, Wilhelm.

30 January 1933 - 25 August 1943.

351-PS, supra.

Völkischer Beobachter, North German edition, 31 January 1933.

Himmler, Heinrich. (deceased).

25 August 1943 - March 1945.

Das Archiv, August 1943, page 347.

H1136 - 0015

JUSTICE (Reichsjustizminister):

Gürtner, Franz (deceased).

1 February 1933 - 29 January 1941.

351-PS, supra.

Völkischer Beobachter, North German edition, 2 February 1933.

Schlegelberger, Franz, acting (mit der Führung der Geschäfte)

29 January 1941 - 20 August 1942.

Das Archiv, January 1941, page 1000.

Thierack, Otto.

20 August 1942 - March 1945.

1097-PS, supra.

LABOR (Reichsarbeitsminister):

Seldte, Franz.

30 January 1933 - March 1945.

351-PS, supra.

Völkischer Beobachter, North German edition, 31 January 1933.

OCCUPIED EASTERN TERRITORIES (Reichsminister für die besetzen Ostgebiete)

Rosenberg, Alfred.

17 July 1941 - March 1945.

1097-PS, supra.

POPULAR ENLIGHTENMENT AND PROPAGANDA. (Reichsminister für Volksaufklärung und Propaganda)

Goebbels, Paul Joseph. (deceased)

13 March 1933 - March 1945.

351-PS, supra.

Völkischer Beobachter, Munich edition, 14 March 1933, page 2.

POSTS (Reichspostminister)

von Eltz-Rübenach, Peter Paul.

30 January 1933 - 2 February 1937.

351-PS, supra.

Völkischer Beobachter, North German edition, 31 January 1933.

1534-PS, letter of resignation, 30 January 1937.

H1136 – 0016

Ohnesorge, Wilhelm.

2 February 1937 - March 1945.

Das Archiv, February 1937, page 1619.

"TRANSPORT" (Reichsverkehrminister):

von Eltz Rübenach, Peter Paul.

30 January 1933 - 2 February 1937.

351-PS, supra.

Völkischer Beobachter, North German edition, 31 January 1933.

1534-PS, supra.

Dörpmuller, Julius.

2 February 1937 - March 1945.

Das Archiv, February 1937, page 1619.

WAR (Reichskriegsminister):

von Blomberg, Werner Eduard Fritz.

30 January 1933 - 4 February 1938.

351-PS, supra.

Völkischer Beobachter, North German edition, 31 January 1933.

(b) REICH MINISTERS WITHOUT PORTFOLIO (Reichsminister ohne Geschaeftsbereich).

THE CHIEF OF THE OKW (Chef des OKW) with the rank of Reich Minister.

Keitel, Wilhelm.

4 February 1938 - March 1945.

1915-PS, 1938, RGBl, I, 111.

THE CHIEF OF THE REICH CHANCELLERY (Chef der Reichskanzlei).

Lammers, Hans Heinrich.

30 January 1933 - March 1945. Appointed State Secretary and Chief of the Reich Chancellery 30 January 1933, and as Reich Minister, 26 November 1937.

1937, RGBl, I, 1297.

351-PS, supra.

Das Archiv, November 1937, page 1021.

THE DEPUTY OF THE FUEHRER (Stellvertreter), a "Member of the Reich Cabinet" (Mitglieder der Reichsregierung).

Hess, Rudolph.

1 December 1933 - 26 May 1941.

351-PS, supra.

1395-PS, 1933, RGBl, I, 1016.

THE CHIEF OF STAFF OF THE SA (Chef des Stabes der SA), a "Member of the Reich Cabinet", (Mitglieder der Reichsregierung).

Roehm, Ernst (deceased)

1 December 1933 - 30 June 1934.

1395-PS, 1933, RGBl, I, 1016.

THE LEADER OF THE PARTY CHANCELLERY (Leiter der Partei-Kanzlei), a member of the cabinet with authority of Reich Minister.

Bormann, Martin.

29 May 1941 - March 1945.

2099 PS, 1941, RGBl, I, 295.

2100 PS, 1942, RGBl, I, 35.

Goering, Hermann (See also above under Heads of Departments).

30 January 1933 - 5 May 1933

351-PS, supra.

"Völkischer Beobachter, North German edition, 31 January 1933.

Frank, Hans

19 December 1934 - March 1945.

351-PS, supra.

Das Archiv, December 1934, page 1197.

von Neurath, Constantin v.K. (See also above under Heads of Departments).

4 February 1938 - March 1945. Retained the title of Reich Minister upon appointment as President of the Secret Cabinet Council.

Das Archiv, February 1938, page 1417.

Ibid, August 1943, page 348.

H1136 -0017

H1136-0018

Schacht, Hjalmar (See also above under Heads of Departments).

26 November 1937 - 21 January 1943.

Das Archiv, November 1937, page 1021.

1997-PS, supra.

Seyss-Inquart, Arthur.

1 May 1939 - March 1945.

Das Archiv, May 1939, page 212.

Frick, Wilhelm.

25 August 1943 - March 1945. Retained the title of Reich Minister upon his appointment 25 August 1943 as Reich Protector for Bohemia and Moravia.

Das Archiv, August 1943, page 347.

Hierl, Konstantin.

20 August 1943 - March 1945. (Prior to this time as Reich Labor Leader (Reichsarbeitsfuehrer), on 30 January 1937 he had been given the right to participate in Cabinet meetings as far as his jurisdiction was concerned.

2094-PS, 1937, RGBl, I, 95.

2095-PS, 1943, RGBl, I, 495.

Taschenbuch für Verwaltungsbeamte, 1943, page 13.

(c) STATE MINISTERS ACTING AS REICH MINISTERS. (Staatsminister in der Funktion von Reichsministern).

THE STATE MINISTER OF THE PROTECTOR OF BOHEMIA AND MORAVIA.

Frank, Karl Hermann.

(With the rank of Reich Minister).

25 August 1943 - March 1945.

Das Archiv, August 1943, page 348.

H1136 - 0019

THE STATE MINISTER AND CHIEF OF THE PRESIDENTIAL CHANCELLERY (Chef der Prasidialkanzlei).

Otto Meissner.

1 December 1937 - March 1945.

1997-PS, supra.

2097-PS, 1937, RGBl, I, 1317.

(d) OTHERS ENTITLED TO TAKE PART IN CABINET MEETINGS.(andere Beamte, die zur Teilnahme an den Kabinettssitzungen berechtigt waren).

THE COMMANDER-IN-CHIEF OF THE ARMY (Oberbefehlshaber des Heeres).

von Fritsch, Werner, with the rank of Reich Minister (deceased).

20 April 1936 - February 4, 1938.

Das Archiv, April 1936, page 45.

von Brauchitsch, Walter H.A.A., with the rank of Reich Minister, and the right to sit in cabinet meetings.

25 February 1938 - 21 December 1941.

2098-PS, 1938, RGBl, I, 215.

THE COMMANDER IN CHIEF OF THE NAVY (Oberbefehlshaber der Kriegsmarine).

Raeder, Erich, given the rank of Reich Minister 20 April 1936, and the right to sit in cabinet meetings 25 February 1938 - 30 January 1943.

Das Archiv, April 1936, page 45.

2098-PS, 1938, RGBl, I, 215.

Doenitz, Karl, with the right to sit in Cabinet meetings.

30 January 1943 - March 1945.

2098-PS, 1938, RGBl, I, 215.

Völkischer Beobachter, South German edition, 31 January 1943.

THE REICH FOREST MASTER (Reichsforstmeister) with the authority of a Reich Minister).

Goering, Hermann.

12 July 1934 - March 1945.

2093-PS, 1934, RGBl, I, 617.

Das Archiv, July 1934, page 519.

THE INSPECTOR GENERAL OF GERMAN HIGHWAYS (Generalinspektor fur das deutcheStrassenwesen) with the authority of a Reich Minister.

Todt, Fritz (deceased).

3 April 1941 - 8 February 1942.

2101-PS, 1941, RGBl, I, page 192,

1942, RGBl, I, page 80.

Speer, Albert.

9 February 1942 - March 1945.

Das Archiv, February 1942, page 1015.

1942, RGBl, I, page 80.

THE INSPECTOR GENERAL FOR WATER AND POWER, (Generalinspektor fuer Wasser und Energie), with the authority of a Reich Minister.

Todt, Fritz (deceased)

29 July 1941 - 8 February 1942.

2102-PS, 1941, RGBl, I, 467.

1942, RGBl, I, page 80.

Speer, Albert.

9 February 1942 - March 1945.

Das Archiv, February 1942, page 1015.

1942, RGBl, I, page 80.

THE REICH YOUTH LEADER (Jugendführer des Deutschen Reichs).

Baldur von Schirach.

1 December 1936 - 10 August 1940.

Deutscher Beamten-Kalendar, 1941, page 104.

Taschenbuch für Verwaltungsbeamte, 1939, page 3.

Axmann, Arthur.

10 August 1940 - March 1945.

Das Archiv , August 1940, page 467.

2959-PS, Neugestaltung von Recht und Wirtschaft, Heft 14, Verwaltungsrecht, Stuckart and von Rosen, 1944, page 68.

H1136 - 0020

THE CHIEF OF THE FOREIGN ORGANIZATION OF THE FOREIGN OFFICE (Chef der Auslandsorganisation im Auswärtigen Amt) with the right to take part in Cabinet meetings when his jurisdiction was concerned.

Bohle, Ernst W.

30 January 1937 - March 1945.

2075-PS, 1937, RGBl, I, 187.

THE CHIEF OF THE GERMAN POLICE IN THE REICH MINISTRY OF THE INTERIOR (Chef der Deutschen Polizei im Reichsministerium des Innern), with the right to take part in Cabinet meetings if his jurisdiction was concerned.

Himmler, Heinrich. (See also above under Heads of Departments).

17 June 1936 - 25 August 1943.

2073-PS, 1936, RGBl, I, 487.

THE PRUSSIAN FINANCE MINISTER (Preussische Finanzminister)

von Popitz, Eduard H. J.

30 January 1933 - July 1944. (Reported to be dead).

1774-PS, excerpt from Ernst Rudolf Huber, Verfassungsrecht des Grossdeutschen Reichs, page 225 of original, page 2 of translation.

THE COMMISSIONER FOR "THE CREATION OF EMPLOYMENT". (Reichskommissar für Arbeitsbeschaffung).

Gereke, Dr.

30 January 1933 - April 1933 (?).

Völkischer Beobachter, North German edition, 31 January 1933.

THE CABINET PRESS CHIEF (Presschef der Reichsregierung).

Funk, Walter. (See also above under Heads of Dem rtments).

30 January 1933 - 26 November 1937.

351-PS, supra.

Dietrich, Otto.

26 November 1937-March 1945.

Das Archiv, November 1937, page 1102.

Taschenbuch für Verwaltungsbeamte, 1943, page 4.

National Socialist Yearbook, 1944, page 291.

H1136-0021

Exhibit U.S.A. 404
Filed Dec. 18, 1945

H-1136(3)

D 139

TRANSLATION OF DOCUMENT D-139
OFFICE U. S. CHIEF OF COUNSEL

TRANSLATION

The Deputy of the Fuhrer

NATIONAL SOCIALIST GERMAN
WORKERS PARTY.

Munich, Brienner Street 45
Telephone: 54901 and 53844.

9 October 1934

SO/Sch

REICH MINISTRY FOR
THE ENLIGHTENMENT OF
THE PEOPLE AND PROPA-
GANDA. 12 Oct 34 Nm,
II400/9. 10. Encls.

To the Reich Minister for the Enlightenment of the People
and Propaganda

BERLIN, W.8.
Wilhelmsplatz 8-9.

Reference: Participation in Legislation of the Reich.

By a decree of the Fuhrer dated 27 July 1934 I have been granted the right to participate in the legislation of the Reich as regard both formal laws and legal ordinances. This right must not be rendered illusory by the fact that I am sent the drafts of laws and decrees so late and am then given a limited time, so that it becomes impossible for me to deal with the material concerned during the given time. I must point out that my participation means the taking into account of the opinion of the NSDAP as such, and that in the case of the majority of drafts of laws and decrees, consult with the appropriate departments of the Party before making my comment. Only by proceeding in this manner can I do justice to the wish of the Fuhrer as expressed in the decree of the Fuhrer of 27 July 1934.

I must therefore ask the Reich Ministers to arrange that drafts of laws and decrees reach me in sufficient time. Failing this, I would be obliged in future to refuse my agreement to such drafts from the beginning and without giving the matter detailed attention, in all cases when I am not given a sufficiently long period for dealing with them.

Heil!

(Sgd) R. Hess

H1136-0022

H1136 - 0023

Document D-139 (continued)

(Hand-written note:)

Verlin, 17 October 1945

1. The identical letter seems to have been addressed to all Reich Ministers. In our special field the decree of 27 July 1934 has hardly become applicable so far. A reply does not seem called for.

2. File in file 7B (?)

(Sgd)

R.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. D-139

I, PAUL W. FREEDMAN, S/Sgt, 33799122, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. D-139.

PAUL W. FREEDMAN
S/Sgt
33799122

Exhibit U.S.a. 405
Filed Dec. 18, 1945

H1136 - 0024

D 140

D-140

TRANSLATION

THE REICH MINISTER and
CHIEF OF THE REICH CHANCELLERY

BERLIN W.8. 12 April 1938
Wilhelmstrasse 78.

Rk. 7363 B.
Please quote this ref No.
on all future correspondence.

To the Reich Ministers.

In a decree of the Fuhrer dated 27/7/1934 - Rk. 6798 - and supplementary decree reported in my letter dated 6 April, 1935 - Rk. 2749 - a copy of which I enclose, the Führer and Reich Chancellor has ordered that the Deputy of the Führer, Reich Minister Hess, will occupy the position of a participating Reich Minister as far as the preparation of drafts of laws and decrees, including all instructions about their being put into effect and instructions about their being carried out, and as far as they are published in the Reich Law Gazette, is concerned.

By order of the Führer and Reich Chancellor I have the honor to inform you of a further supplementary decree of the Führer and Reich Chancellor:

The Deputy of the Führer will also have participation where the Reich Ministers give their agreement to State Laws [1] and legislative ordinances of States [2] under para .3 of the first decree concerning reconstruction of the Reich of Feb 2nd 1934 (Reich Law Gazette I 81). Where the Reich Ministers have already, at an earlier date, been engaged in the preparation of such laws or legislative ordinances, or have participated in such preparation, the Deputy of the Führer likewise becomes participating Reich Minister. Laws and legislative decress of the Austrian State [3] are equally affected hereby.

(Sgd) Dr. LAMMERS

Translator's footnote: -

1. Lit. "Landesgesetzen"
2. Lit. "Rechtsverordnungen der Lander"
3. Lit. "des Landes Österreich"

Exhibit U.S.A. 389
Filed Dec. 18, 1945

H1136 - 0025

TRANSLATION OF DOCUMENT 351-PS
OFFICE OF U.S. CHIEF OF COUNSEL

351 PS

LIST OF THE MEMBERS OF THE REICH CABINET SINCE 30 JANUARY 1933

Reichs Chancellor Adolf Hitler, appointed 30 January 1933

Fuehrer and Reichs Chancellor since 2 August 1934

Name	Appointed	Reappointed	Resigned
The Deputy of the Reichs Chancellor von Papen	30.1.1933		30.7.1934
1. The Deputy of the Fuehrer Hess, Reichsminister without portfolio	1.12.33		
2. Reichs Minister of Foreign Affairs Freiherr von Neurath	2.6.32	30.1.33	
3. Reichs and Prussian Minister of the Interior - Dr. Frick	30.1.33		
4. Reichs War Minister and Supreme Commander of the Armed Forces von Blomberg	30.1.33		
5. Reichs Minister for Finance Graf Schwerin von Krosigk	2.6.32	30.1.33	
6. Reichs and Prussian Minister of Economy - Dr. Hugenberg	30.1.33		29.6.33
Dr. Schmitt	29.6.33	x)	30.7.34
		xx)	30.1.35
Commissioned:			
President of the Reichs Bank Directorate Dr. Schacht	30.7.34	Temporary or 6 month	
	30.1.35	Until further notice	

H1136 - 0026

Name	Appointed	Reappointed	Resigned
x) 30.7.34 Relieved from the Office of the Reichs Minister for Economy for 6 mos.			
xx) 30.1.35 Relieved of his offices.			
7. Reichs and Prussian Minister for Labor - Seldte -	30.1.33		
8. Reichs Minister of Justice Dr. H.C. Guertner	2.6.32	1.2.33	
9. Reichs Postmaster General and Reichs and Prussian Minister of Transportation Freiherr von Eltz-Ruebenach	1.6.32	30.1.33	
10. Reichs and Prussian Minister for Food and Agriculture			
Dr. Hugenberg	30.1.33		29.6.33
Darre	29.6.33		
11. Reichs Minister for Englightment and Propaganda Dr. Goebbels	13.3.33		
12. Reichs Minister for Aviation - Goering			
Reichs Minister without portfolio	30.1.33		
Reichs Minister for Aviation	5.5.33		

H1136 - 0027

	Appointed	Reappointed	Resigned
13. Reichs and Prussian Minister for Science and Education, Rust	1.5.34		
14. Reichs and Prussian Minister for Church Affairs, Kerrl			
Reichs Minister without portfolio	16.6.34		
Reichs and Prussian Minister for Church Affairs	16.7.35		
15. Reichs Minister without portfolio	19.12.34		

State Secretary of the Reichs Cabinet:

Dr. Lammers, State Secretary and Chief of the Reichs Chancellory	30.1.33
Press Chief of the Reichs Cabinet: Funk	30.1.33
Director of the Ministry	30.1.33
State Secretary in the Reichs Ministry for Englightenment and Propaganda	13.3.33

H1136 - 0028

Present

at the First Session of the Cabinet of Adolf Hitler

on 30 January 1933 at 5:00 p.m.

Present:

Reichs Chancellor	Hitler
Deputy of the Reichs Chancellor and Reichs Commissar for the State of Prussia	von Papen
Reichs Minister of Foreign Affairs	Freiherr von Neurath
Reichs Minister of the Interior	Dr. Frick
Reichs Minister of Finance	Graf Schwerin von Krosigk
Reichs Minister of Economy	Dr. Hugenberg
Reichs Minister of Labor	Seldte
Reichs Minister of Justice	
Reichs Defense Minister	von Blomberg
Reichs Postmaster General and Reichs Minister for transportation	Freiherr von Eltz-Ruebenach
Reichs Minister and Reichs Commissar for Aviation	Goering
Reichs Commissar for Procurement of Labor	Dr. Gercke
State Secretary in the Reichs Chancellory	Dr. Lammers
State Secretary in the Office of the Reichs President	Dr. Meissner
Reichs Press Chief, Director in the Ministry	Funk
Responsible for the Protocol Counsellor in the Ministry	Wienstein
Reichs Minister for Food and Agriculture	Dr. Hugenberg

H1136 - 0029

TRANSLATION OF DOCUMENT 351-PS
OFFICE OF U S CHIEF OF COUNSEL

Subject:

The Political Situation.

The Reichs Chancellor opens the session and explains that millions of people within Germany would joyfully greet this day on which a Reich Cabinet under his leadership had been appointed by the Reich President. He asked the members of the Cabinet to give him their confidence as he himself had confidence in each member of the Cabinet.

Then the Chancellor stated that he intended to suggest to the Reich President the appointment of the Counsellor in the Ministry, Dr. Lammers, to the post of State Secretary in the Reich Chancellor in place of the retired State Secretary Planck, and the appointment of the member of the Reichstag, Walter Funk, to the post of Director in the Ministry and Director of the Press Office in place of the retired Director in the Ministry, Marcks.

The Reich Cabinet took note of this. There were no objections against his proposal.

The Reich Chancellor then opened a discussion about the political situation.

Reich Minister Goering stated that he had contacted the Center Party. The Center Party felt offended because they had not been informed about the development of the situation. As he had been informed Reich Chancellor von Papen had not contacted the representatives of the Center Party. He, Reich Minister Goering, was under the impression that the Center Party expected certain concessions from the present Reich Cabinet.

The Reich Minister for Economy and Reich Minister for Food and Agriculture stated that it would be wise to avoid any brusque actions toward the Center Party. However, the representation of the Center Party in the Reich Cabinet was to be avoided since, in his opinion, it would endanger the unity of decisions of that body.

The Reich Chancellor pointed out that adjournment of the Reichstag would be impossible without the collaboration of the Center Party. On might, however, consider suppressing the Communist Party to eliminate its votes in the Reichstag and by this measure achieve a majority in the Reichstag. Based on his experiences, however, such suppressions of parties were of no avail. He was afraid that heavy political fights and possibly a general strike might be the result of this contemplated suppression of the Communist Party of Germany. Surely the economy of the count needed settled conditions. If, however, one discussed the question of the greater danger for the national economy, the uncertainty and unrest connected with new elections or a general strike, then one had to arrive at the conclusion that a general strike would be far more dangerous for the national economy.

H1136 - 0030

TRANSLATION OF DOCUMENT 351-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

It appeared flatly impossible to suppress the 6,000,000 people who stood behind the Communist Party of Germany. It might be possible, however, to achieve a majority for the new Reich Cabinet after dissolving the Reichstag and the new elections which had to fall soon. The best thing, however, would be if the Reichstag should adjourn itself volunterily.

The Reich Minister for Economy and the Reich Minister for Food and Agriculture explained that he certainly has not longing for a general strike. In his opinion, however, it was impossible to avoid the suppression of the Communist Party of Germany. If that were not done one could not achieve a majority in the Reichstag, certainly not a majority of two-thirds.

After the suppression of the KPD the passage of an enabling law (Ermaechtigungsgesetz) through the Reichstag would be possible. He doubted that there would be a general strike after the suppression of the KPD. He preferred the suppression of the KPD to new elections.

H1136 - 0031

Reich Minister Goering stated that the Communists had planned a demonstration for this evening (30 January), which he had prohibited. On the basis of his investigations the KPD would not be prepared for a general strike at the present. The social democrats were pressing for a discussion in Reichstag.

In his opinion it would be best to dissolve the Reichstag as soon as possible and to hold new elections. The Reich Chancellor had given his word that the present constellation of the Reich Cabinet would not be altered even after new elections.

The Reich Chancellor confirmed the correctness of this statement.

The Reich Minister for Labor declared that there was great joy in the ranks of the Steel Helmet (Stahlhelm) about the forming of the present Reich Cabinet. There was no more friction between the Steel Helmet and the SA.

In his opinion it would not be wise to let the first act of the present Reich Cabinet consist in the suppression of the KPD which might result in a general strike.

The Deputy of the Reich Chancellor and the Reich Commissar for Prussia pointed out that the German nation needed a rest. In his opinion it would be best initially to request an Enabling Law from the Reichstag. If such a law would not be passed the situation could be tackled anew. The Reich Chancellor declared that the general strike was not to be taken lightly. To suppress a possible general strike the Reichswehr should not be committed, if possible,

The Reich Minister for Defense thanked the Reich Chancellor for this attitude and emphasized that the soldier is only used to thinking of his opponent as an enemy from outside.

The Reich Minister for Foreihn Affairs discussed the question of whether a suppression of the KPD with the possible consequence of a general strike were to be preferred to new elections for the Reichstag under foreign political consideration. He came to the conclusion that a suppression of the KPD with the possible consequence of a general strike would be, by far, the more serious outlook.

The Reich Minister for Finance pointed out that the financial status of the Reich, the States, and the Counties could only be adjusted through a slow improvement of the economic situation. He regarded the suppression of the KPD as a last political means. State Secretary Dr. Meissner proposed for the discussion whether an Enabling Law was to be proposed which would contain provisions for measures to be taken by the Reich Cabinet in the interest of combating unemployment. Such an Enabling Law would only a simple majority in the Reichstag.

Reich Commissar Dr. Gereke stated that the Center Party would not tolerate the Cabinet. Speedy new elections to the Reichstag would become necessary. The Deputy of the Reich Chancellor and the Reich Commissar for the State of Prussia suggested that the Reich Chancellor, in an interview, would state at the earliest opportunity that the rumors about the danger of inflation and the rumors about the danger of the rights of civil servants are untrue. The Reich Chancellor agreed to this. He further informed the meeting that he would contact representatives of the Center Party in the morning of 31 January.

A new meeting of the Ministers is to take place on 31 January at 4:00 p.m.

The Reich Cabinet took note of this.

Signed:

Wienstein 31.1

H1136 - 0032

TRANSLATION OF DOCUMENT 351-PS
OFFICE OF US CHIEF OF COUNSEL
(cont.)
12 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT 351-PS

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify, that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 351-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1136-0033

COPY

TRANSLATION OF DOCUMENT NO. 352-PS
OFFICE OF U. S. CHIEF OF COUNSEL

352 PS

THE REICH MINISTER AND CHIEF OF THE REICH CHANCELLORY

Rk. 8008D

Berlin, 14, June 1942
Fuehrer's Headquarters

To the Plenipotentiary for the Reich Administration (General bevollmaechtigter die Reichs Norwaltung)

Subject: The Jurisdiction of the Council of Ministers for the Defense of the Reich(Ministerats fuer die Reichsverteidigung)

Your letter of 3 June 1942- CBV Nr. 493/42/2882-. Recently the Fuehrer announced in accord with the opinions of the Reich Marshal of the Greater German Reich as shown in my letter of 20 Feb. 1940-RK.624B- that he believes it practical to reserve certain legislative missions for the Reich Cabinet. With this he has not limited the competency of the Council of Ministers for the defense of the Reich but given a directive as to how legislation should be handled under the point of view of practicability. I have no doubt that the Fuehrer, as well as the Reich Marshal, have not changed their point of view, in particular regarding the fact that at the present there should be only legislation important in the cause of war, and that they will stress the fact that the Fuehrer himself and the Reich Cabinet should not be eliminated from the powers of legislation. It will have to be tested from time to time what measures will be reserved for the Reich Cabinet. My letter of 20 February 1940, and the opinions of the Fuehrer therein expressed may serve as a directive even if the limitations endicated by me are no longer applicable in their full meaning. I would therefore suggest not basing the discussions with the Reich Minister of Finance on the question of competency of the Reich Cabinet or the Council of Ministers for the defense of the Reich, but on the question of whether it would be practical to achieve settlement through either Reich law or a Decree from the Council of Ministers for the defense of the Reich in the sense of the opinions voiced by the Fuehrer.

signed: Dr. Lammers

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 352-PS

I, GERARD SCHAEFER, 2nd Lt., 01332102, hereby certfy that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 352-PS.

GERARD SCHAEFER
2nd Lt.
0-133 21 02

Exhibit U.S.a. 393
Filed Dec. 18, 1945

H1136 – 0034

TRANSLATION OF DOCUMENT 1141-PS
OFFICE OF U S CHIEF OF COUNSEL

1141 PS

C O P Y

THE REICHMINISTER AND CHIEF OF THE REICH CHANCELLORY.

Rk 25018B BERLIN 17 September 1939.

TO:

THE PRESIDENT OF THE COUNCIL OF MINISTERS FOR THE DEFENSE OF THE REICH (Ministerrat fuer die Reichsverteidigung) GENERAL FIELD MARSHAL GOERING. THROUGH THE DIRECTOR OF THE MINISTRY, MAROTZKE.

THE DEPUTY OF THE FUEHRER, THROUGH THE DIRECTOR IN THE MINISTRY, SOMMER.

THE PLENIPOTENTIARY FOR REICH ADMINISTRATION (Generalbevollmaechtigten fuer die Reichsverwaltung) THROUGH STATE SECRETARY STUKKART.

THE PLENIPOTENTIARY FOR ECONOMY (Generalbevollmaechtigten fuer die Wirtschaft) THROUGH THE DIRECTOR IN THE MINISTRY SARNOW.

THE CHIEF OF THE SUPREME COMMAND OF THE ARMED FORCES (Oberkommandos der Wehrmacht) THROUGH COLONEL GAUSE.

SUBJECT: Handling of matters submitted to the Council of ministers for the Reich Defense.

Matters submitted to the Council of ministers for the Reich Defense have hertofore been distributed only to the members of the Council. I have been requested by some of the Reichministers who are not permanent members of the Council to inform them of the drafts of decrees which are being submitted to the Council, so as to enable them to check these drafts from the point of view of their respective offices. I shall follow this request so that all the Reichministers will in the future be informed of the drafts of decrees which are to be acted upon by the Council for the Reich Defense. I therefore request to add forty-five additional copies of the drafts, as well asof the letters which usually contain the arguments for the drafts, to the folders submitted to the Council.

DR. LAMMERS.

THE REICHSMINISTER AND CHIEF OF THE REICH CHANCELLORY.

Rk 25018B

BERLIN W 8, 17 September 1939
Voss St. 6

TO THE REICHSMINISTERS.

Following a request of the Reichsmanisters who are not permanent members of the Council for the Reich Defense, I shall in the future notify all Reichsministers of the drafts of decrees submitted here for the decision of the Council for the Reich Defense. I therefore request the Reichsministers who are not associated with the Plenipotentiary for Reich Administration, the Plenipotentiary for Economy, or the Chief of the High Command of the Armed Forces, and who therefore submit their proposals directly to the Council for the Reich Defense, to add forty-five copies to all papers directed to the Council, drafts as well letters which usually contain agrguments for the drafts.

SIGNED: DR. LAMMERS.

H1136 - 0035

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1141-PS

I, ERNST M COHN, Pfc., 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document no. 1141-PS

ERNST M. COHN
Pfc, 33925738

Exhibit U.S.A. 402
Filed Dec. 18, 1945

H1136-0036

TRANSLATION OF DOCUMENT 1534-PS
OFFICE OF U S CHIEF OF COUNSEL

1534 PS

Berlin, W.8., 30 January 37
Wilhelm Street 79

My Fuehrer:

I thank you for the confidence which you have placed into me during the four years of your leadership and for the honour you do me in offering to admit me to the party. My conscience forbids me however to accept this offer. I believe in the principles of positive christianity and must remain faithful to my Lord and to myself. Party membership however would mean that I should have to face without contradiction the steadily aggravating attacks by party offices on the Christian confessions and those who want to remain faithful to their religions convictions.

This decision has been infinitely difficult for me. For never in my life I have performed my duty with greater joy and satisfaction than under your wise state leadership.

I ask to be permitted to resign.

With German Greetings!
Yours very obedient,

(Signed) Baron v. Eltz.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1534-PS

I, FRED NIEBERGALL, 2nd Lt. Inf., 01335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document no. 1534-PS.

FRED NIEBERGALL
2nd Lt. Inf.
01335567

H1136 - 0037

TRANSLATION OF DOCUMENT 1639 A-PS
OFFICE OF U. S. CHIEF OF COUNSEL

EXCERPTS

Mobilmachungsbuch für die Zivilverwaltung
(Mobilization Book for the Civil Administration)
1939 Edition
Pages 2, 3, 3a, 18-paragraph D.

Page 2 of original.

Armed Forces High Command — Berlin, 18th Feb 1939.

No. 265/39 g.Kdos. I IVa. — 125 copies
101st copy

Re: Reprint of Mobilization Book for the Civil Administration.

1.) Enclosed is the Reprint for 1939 of the "Mobilization Book for the Civil Administration" with the request to destroy Mobilization Books (Z), hereby made obsolete, at the beginning of the new mobilization year.

2.) The Reprint takes effect on the 1st April 1939. The annexes V, XIX, and XX will be forwarded after their completion.

3.) An expression of opinion on the proposals handed in here will not take place in detail any more, insofar as the expression has not already been made.

4.) The necessity of cooperation between Ministers and the highest Reich agencies is not always pointed out in the column "Remarks". It is to be understood, that the cooperation, needed for preparations and carrying out of the measures, must be guaranteed, even without an express directive.

Chief of the Armed Forces
High Command.

Keitel.

Distribution list on
the next page.

Page 3 of original.

Distribution's List:	Copy
Führer and Reich Chancellor	1
Deputy of the Führer Attention SS Brigadier General Knoblauch	2- 3
Prussian State-Ministry Attention Counsellor of the Ministry Bergbohm	4-5
Ministry for Foreign Affairs Attention Counsellor of the Legation Dr. Freiherr v.d. Heyden-Rynsch	6-7
GBV (Plenipotentiary-General for Administration) Chief of Operational Staff	
Attention State Secretary Dr. Stuckart	
for Reich Ministry of the Interior	8-9
for Reich Ministry of Justice	11-12
for Reich Ministry of Science, Education and Popular Culture	13-14
for Central Reich Office for regional planning	15-16
GBV (Plenipotentiary-General for Economics) Chief of the Operational Staff Attention Ministerial Director Sarnow	
for GBV (Operational Staff)	17-18
for Reich Ministry of Economics	19-20
for Reich Ministry of Food and Agriculture	21-22
for Reich Labor Ministry	23-24
for Reich Chief Forester	25-26
Reich Ministry of Finance Attention Counsellor of the Ministry, Privy Counsellor Dr. Bender	27-28
Reich Ministry of Finance Attention Finance President von Dietz	29-30
Reich Ministry of Communications Attention Chief of Section of the Ministry Baur	31-33
Reich Ministry of Communications Attention State Railway Director Dr. Ebeling	34-35
Reich Postal Ministry Attention Counsellor of the Ministry Honold	36-37
Reich Ministry for Popular Enlightenment and Propaganda Attention It Colonel Montscher	38-39
Reichsbank Directorate Attention Reichsbank Director Dr. Müller	40-41
Inspector General of the German Highways Attention Government Construction Counsellor Henne	42-43
OKH (Army High Command)(2nd Section of the General Staff of the Army)	44-73
OKM (Navy High Command) (A.II)	74-81
Reich Ministry for Air Travel and Air Force High Command (2nd Section of the General Staff of the Air Force)	82-93

H1136 - 0038

Page 3a of original.

OKW: (Armed Forces High Command)

	Page
L Ia	94
L Ia Prop.	95
L II	96
L IVa	97
L IVb	98
L IVd	99
WNV	100
W Stb	101-103
A Ausl./Abw. (Foreign Intelligence Section)	104-106
AWA (J)	107
WH	108
Being kept by L IVa	109-125

H1136-0039

H1136 - 0040

Page 18 of original.

D. Terms for Mobilization Preparations by the Civil Administration.

The acceptance of all new measures in the "Mobilization Book for Civil Administration" must be requested from the Chief of the Reich Defense Committee (Department of State Defense in the Armed Forces High Command).

In order to guarantee for the current mobilization year a constancy of scheduled preparations, - all changes, and if possible, even new regulations, are to be requested only once a year, up till the 1st November, at the latest.

On the basis of the requests received, the Mobilization book will be corrected by the following 1st February in such wise that it will be authoritative for the scheduled preparations during the current mobilization year (1st April - 31st March).

- - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1639A-PS

14 November 1945

I, CHARLES E. BIDWELL, S/Sgt., 13146054, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 1639A-PS.

CHARLES E. BIDWELL
S/Sgt., 13146054.

H1136 - 0041

Exhibit U.S.A. 392
Filed Dec. 18, 1945

Translation Of Document 1701-PS
Office Of U S Chief Of Counsel

1701 PS

The draft referred to
in letter is not translated-

Copie e distributed to
Gauleiter Dr. Wilhelm von Allwoerden (?)
11 Aug.
H

Berlin, 9 August 1943

The Reich Minister of the Interior

Pol. SVA I No 344/43

To the Reich Minister and Chief of the Reich Chancellery

in Berlin W8

For the information of the other Reich ministers.

Subj: Law on the treatment of enemies of the society.

In addition to my letter of 19 March 1942 -

Enclosures: 55. ---

After the draft of the law on the treatment of enemies of the society has been completely rewritten, I am sending the enclosed new draft with the consent of the Reich Minister of Justice, Dr. Thierack? and ask that the law be approved in a circulatory manner. The necessary number of prints is attached.

The Chief plenipotentiary for the Reich administration has again agreed on the importance of the law in war, considering the existing directions for curbing the making of laws and the administrative activity. Furhermore I refer to my letter of 19 March 1942 and to the reasons attached to the draft.

/s/ Frick

H1136 - 0042

Translation Of Document 1701-PS
Office Of U S Chief Of Counsel
Continued

The Reich Minister for the
Occupied Eastern Territories

Berlin W 35, 22 Dec 1943

Tele - letter

To the Reich Minister of the Interior for the information of the Reich Minister and Chief of the Reich Chancellory and the other Reich Ministers.

Subject: Law on the Treatment of Enemies of Society.

To Pol. SV A 1 No. 844/43 of 5 August 1943

I have basic objections against the draft of the law. In Par. 2, Dir. 4, I assume that the police will inform the penal prosecuting authority also of such cases in which it does not consider - for legal or actual reasons - that a punishable act has been committed or can be proved, especially if it wants to connect the behavior of the culprit with consequences adverse to him. The penal prosecuting authority should be able to determine also in dubious cases whether the possibility of penal prosecution exists. I therefore suggest to formulate Par. 2, Dir. 4, of the law draft about as follows:

"If there is suspicion of a punishable act by enemies of society, the police will inform the penal prosecuting authorities about it."

Because, in the framework of the draft, the basic regulation of the connections between penal justice and police has become mandatory, an exact definition of the respective competence seems necessary to me. In the expected executory decree it should hence be made clear, as it was already provided in the draft of the executory decree (Par. 4) for the first draft of the law, that police actions because of the same matter are not admissible anymore if a court has freed (a party) because of proven innocence or lack of proofs, except for custody measures in case of freeing for lack of proofs. Furthermore, it should be determined that the police can not take other than custody measures after the penal term of a person judged by a court because of the same facts. Further, I think it necessary to have a fundamental clearing of the question whether, and if so- to what degree police measures are admissible after refusal of a decree of custody or other judicial directions, regardless of the reason for refusal.

H1136 - 0043

Finally, I mention for consideration if the words "the regime of the time of the system" in Dir. 5 of the official document, taken from the newspaper language, could not be replaced to advantage by another expression.

I especially direct your attention to the printing mistake in the last but two dir. of the reason , in which in the third line it should probably read "protective surveillance" instead of "protective custody".

H. Rosenberg

attested

chancellory employee

Offic. Stamp

CERTIFICATE OF TRANSLATION
OF DOCUMENT 1701 - PS

I, Wolfgang E; Thormann M/Sgt. 33779436, hereby certufy that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated exerpt from Document No. 1701 - PS .

WOLFGANG E. THORMANN
M/SGT. 33779436

H1136 - 0044

OFFICE OF U S CHIEF OF COUNSEL
TRANSLATION OF DOCUMENT NO. 1774-PS

1774 PS

Extract from the book "Verfassungsrecht des Grossdeutschen Reiches" by Ernst Rudolf Huber.

Paragraph 19 - Page 223

FUEHRER AND REICH-CABINET (REICH REGIERUNG)

a) The Structure of the Reich-Cabinet (Reich Regierung)

The political direction of the Reich is the task of the Fuehrer. The Fuehrer selects, in all fields of political developments the goals which should be attained, determines the methods to be used and makes all fundamental decisions when necessary. The authority of the Fuehrer (Fuehrergewalt) is the "Political Authority" in the new Reich. The term "Leadership" expresses better the mobilization of the collective political force of the people towards the achievement of the common goal, than the term "Government" which has been used heretofore for the highest authority of the State. The Fuehrer has the only final power to decide in all matters concerning movement (party), people, and Reich. He possesses and bears the historical responsibility to his people. Even in instances, where the law assigns certain tasks to the "Reichsregierung" (Reich-Cabinet (Reich Regierung)), it is the Fuehrer who is responsible for the final decision.

The Fuehrer avails himself, however, in his decisions of the counsel and the constructive cooperation of his collaborators, especially the Reich-Cabinet (Reichs Regierung), which combines the Subordinate-Fuehrers (Unterfuehrer) of the various departments of the State. The legal position of the Reich-Ministers was originally laid down by the Reich-Minister Law of March 27 1930 (RGBl I 96). In it's place Section XIII of the German Civil Servant Law is now applicable, with the exception of the regulations concerning the official salaries, service quarters, moving - and travel expenses, where the old law remains valid. The Reich-Ministers are appointed by the Fuehrer and maintain a public service relationship towards him and the Reich. They take a special oath before the Fuehrer when they assume their functions. They cannot belong to any economic enterprise as chairmen or members of administrative or supervisory councils while they hold office ("economic incompatibility"). The Reich-Ministers can be dismissed from their offices at any time by the Fuehrer. No disciplinary action against them will be taken. Special treatment of the Reich Ministers is based on the fact that they are not "Civil Servants". Civil Servants are only the members of the Bureaus which are sub- and co-ordinated to the hierarchi administrative structure, but not those who occupy immediate state-directing positions * to whom the Reich-Ministers belong according to the present constitutional law.

The Fuehrer and Reich-Chancellor is at the top of the Reich-Cabinet (Reich Regierung). He hands down the directives for the overall operation of the Government and the basic principles for the various departments. A number of Bureaus are subordinated to him for direct counsel and assistance, as follows:

1. The Reich-Chancellory (Chief: Reich-Minister, Dr. Lammers)

2. The Supreme-Command of the Armed Forces (Chief: Generaloberst (Gen.) Keitel)

3. The Presidential Chancellory (Chief: State Minister Dr. Meissner)

4. The Privy Cabinet Council (President: Reich-Minister Frh. von Neurath)

The Reich-Cabinet (Reich Regierung) comprises furthermore the departmental ministries proper. It is constituted in the following manner according to the official order of rank laid down in the year 1939:

* See J. Popitz, on the draft of a Reich-Minister Law (Zum Entwurf eines Reichministergesetzes) DJZ 1930, Sp. 121 ff.

H1136 - 0045

1. The Deputy Commander for the Fuehrer (Reich-Minister Hess)

2. The Supreme Command of the Armed Forces (Generaloberst (Gen.) Keitel)

3. General Field-Marshal Goering (Deputy for the 4 Year Plan)

4. Foreign Office (v. Ribbentrop)

5. Reich-Minister of the Interior (Dr. Frick)

6. Reich-Minister for Enlightenment of the People and Propaganda (Dr. Goebbels)

7. Reich Air-Minister (Gen. Field-Marshal Goering)

8. Reich Finance Minister (v. Schwerin-Krosigk)

9. Reich-Minister of Justice (Dr. Guertner)

10. Reich-Minister of Economy (Funk)

11. Reich-Minister for Food and Agriculture (Darre)

12. Reich-Minister of Labor (Seldte)

13. Reich-Minister for Science, Education and National Culture (Dr. Bust)

14. Reich-Minister for Ecclesiastical Affairs (Kerrl)

15. Reich-Minister of Transportation (Dr. Dorpmueller)

16. Reich Postal Minister (Ohnesorge)

17. Reich-Minister Frank (Legal Affairs Reich-Fuehrer)

18. Reich-Minister Schacht

19. Reich-Minister Seyss-Inquart

20. Reich Forest-Office (Gen. Field-Marshal Goering)

The Commanders-in-Chief of the Army (Generaloberst (Gen.) v. Brauchitsch)) and of the Navy (Great-Admiral Raeder) have also the rank of Ministers. Furthermore, the following participate regularly in the sessions of the Government, whenever matters of their department are being discussed:

1. The Prussian Finance Minister, Dr. Popitz.

2. The Reich-Fuehrer SS and the Chief of the German Police, Himmler.

3. The Reich Labor Leader in the Reich-Ministry of the Interior, Hierl.

4. The Chief of the Organization in Foreign Countries in the Foreign Office, Bohle. In addition, the following Supreme Reich-Bureaus are immediately sub-ordinate to the Fuehrer:

1. Court of Accounts of the German Reich (State-Minister, retired, Mueller.

2. Inspector General for the German Road System (Dr. Todt).

3. Reich Office for Area Control(Raumordnung") (Kerrl).

4. Youth-Fuehrer of the German Reich (v. Schirach).

Furthermore, the following are immediately subordinate to the Fuehrer:

H1136 - 0046

1. The German Reich-Bank, (President Reich-Minister Funk).

2. Inspector General of Constructions for the Reich Capital (Professor Speer).

3. Counsellor General of Constructions for the Capital of the (party) movement (Professor Giesler).

4. Reich Construction Counsellor for the town of Linz on the Danube.

The directors of these Reich Bureaus act as direct advisers and collaborators of the Fuehrer in their departments without being members of the Reich-Government by authority of their office.

A privy cabinet council, to advise the Fuehrer in the basic problems of foreign policy, has been created by the decree of 4 February 1938 (RGBl I 112). This privy cabinet council is under the direction of Reich-Minister v. Neurath, and includes the Foreign Minister, the Air Minister, the Deputy Commander for the Fuehrer, the Propaganda Minister, the Chief of the Reich-Chancellory, the Commanders-in-Chief of the Army and Navy and the Chief of the Supreme Command of the Armed Forces. The privy cabinet council constitutes a select staff of collaborators of the Fuehrer which consists exclusively of members of the Government of the Reich; thus, it represents a select committee of the Reich Government for the deliberation on foreign affairs.

The law on the Supreme Leader of the State makes provision for the nomination of a Deputy Commander for the Fuehrer and also of a Vice-Chancellor. Up to July 1934, von Papen, then Reich Minister, was Vice-Chancellor. Since then, no such nomination has been promulgated. The Deputy for the 4 Year Plan has a sort of representation in all matters concerning the 4 Year Plan, "all competent instances of party and state" being combined in his person, and he has been given the power to "issue directives to all authorities, including the highest Reich-Authorities and all offices of the party, its sub-divisions and its affiliated associations". The deputy for the 4 Year Plan is therefore within the limits of his authority superior to the other Reich Ministers, particularly to the economic and military departments.* But he is not only superior to the offices of the State but also to those of the party. He is(with the exception of the Fuehrer) the only central authority which by virtue of an office (and not by virtue of a personal union of a party and State office) can issue binding directives to the offices of the party and the State. Considering the tremendous importance of the 4 Year Plan, this position of the deputy is an important means for securing unity between party and State.

This same object is furthermore pursued by the Office of the Deputy Commander for the Fuehrer. While the Deputy for the 4 Year Plan constitutes an authority of the State with the power to issue directives to the party, the Deputy Commander for the Fuehrer represents a party instance with authority to co-operate in State affairs to a large extent. The "Ministry Hess", with it's Liaison-Staff is charged to assert the influence of the party in the legislation and administration of the State. All projects of politically important laws have to be submitted to the Deputy Commander for the Fuehrer for his preliminary examination. He naturally has the power to propose laws from his side. His influence on the administration affects particularly the selection of personnel. All appointments to be made by the Fuehrer have to be examined first by the Deputy Commander for the Fuehrer. Besides these individual powers, it is the duty of the Deputy Commander for the Fuehrer to assert the will of the (party) Movement in the organization of the State, to settle difficulties which develop, to investigate complaints, and thus to guarantee unity of party and State.

Unity of party and Reich-Cabinet (Reich Regierung) is furthermore secured by the numerous personal unions i.e. association of Central State Offices with corresponding party offices. Such personal unions exist in the cases of

* Not in concurrence with this: J. Heckel, Military Constitution and Law (Wehrverfassung und Wehrrecht) 1939, page 346, Note 3.

H1136 - 0047

the Food Minister and the Propaganda Minister, the Chief of the German Police and the Reich Labor Leader, the Chief of the Organisation in foreign countries, and the Reich Youth Fuehrer. Furthermore, the majority of the Reich-Ministries is occupied by leading old party members. Finally, all Reich Ministers have been accepted by the party on 30 January 1937 and have been decorated with golden party insignia.

b) The Reich-Cabinet (Reich Regierung) as the bearer of responsible collaboration.

The relationship between the Fuehrer and the Reich-Cabinet (Reich Regierung) differs from the Weimar colleague-like system as well as from Bismark's Chancellor System. The great political principles are determined by the Fuehrer; the will of the government is not expressed by vote, as under the colleague-like system; doubts and differences of opinion are also settled by the Fuehrer (in contrast to the provisions of Section 57 of the Weimar Constitution). The Reich-Ministers who act as advisers to the Fuehrer owe him loyalty and obedience in accordance with the oath they have to take by virtue of the law of 16 October 1934. The Fuehrer is therefore not "primus inter pares" (first among equal ones), as it was featured in the colleague-like system, but he is absolutely superior to the other Reich-Ministers. But, if therefore the principle of authority prevails within the Reich-Cabinet (Reich Regierung), it is not permitted in this case in the least to become a formal bureaucratic mechanism like the one that characterized the Chancellor System of Bismark. In the latter, the collaborators of the Reich-Chancellor, the State-Secretaries, were not independent and responsible chiefs of their departments, but they were the sub-ordinates of the Chancellor and administered in his name and by his orders the various Reich-Offices, at the top of which stood the Chancellor. Even the law of 17 March 1878 concerning deputies did not change that state of affairs to any extent. Such a bureaucratic system does not permit the collaborators to develop a sense of enjoying responsible action and power of resolution and prevents genuine deliberation, the prerequisite of which is independence of the advisor. This is characteristic of an administrative state, where everything depends on the authoritarian technical functioning of the State apparatus. In the Reich of the Fuehrer the decisive factors are that the collaborators are subordinate leaders, that they are therefore possessed themselves with the desire for creative leadership and responsibility.

The Fuehrer does not avail himself of the Reich-Ministers as subordinate executive organs. The Reich-Cabinet (Reich Regierung) is not a technical apparatus. It is therefore inadmissible to consider the Reich-Ministers as mere "Chiefs of Reich Offices" who preside over bureaucratic institutions, rather the Reich-Ministers in particular must become genuine sub-leaders if the entire Reich is to be imbued with the spirit of the Fuehrer system. In the Reich Cabinet (Reich Regierung), the Fuehrer procures for himself the independent and responsible collaborators who do not only technically direct the various offices but who are also capable to act in a constructive and creative manner, within the scope of their assignments. The Reich-Ministers are therefore not only advisors but at the same time responsible creative assistants of the Fuehrer, who administer their offices independently under the direction of the Fuehrer. The prerequisite for the Fuehrer Principle which has been realized in the Reich-Cabinet (Reich Regierung), is independent co-operation based on confidence and responsibility, of the Fuehrer's closest followers. Thus, the Fuehrer Principle presents far higher requirements then the bureaucratic absolutism and it's not too different Chancellor System of Bismarck.

In view of this structure of the Reich-Cabinet (Reich Regierung), it is only natural that the counter-signature, prescribed in Section 50 of the Weimar Constitution for all decrees and regulations issued by the Reich-President, becomes unnecessary for the decisions of the Fuehrer*. They do not require the counter-signature of the Minister of the respective department. Compulsory counter-signature was an institution of the constitutional and parliamentary system. The Minister who counter-signed the orders of the Chief of

* See in that respect the painstaking treatise of W. Weber, Counter-Signature and Co-signature of documents of the Supreme Head of State (Kontrasignatur und Mitzeichnung bei Akten des Staatsoberhauptes. Jb.d. AKDR. 1937. S. 184 ff.

H1136-0048

State assumed thereby responsibility before parliament. The counter-signature was thus inseparably connected with the parliamentary responsibility of the Ministers; it lost it's political foundation with the revolutionary elimination of parliamenarism of any form. However, also in the New Reich during the period of Reich President Hindenburg's administration, counter-signature of presidential acts by the Reich-Chancellor was maintained. Of course, the counter-signing Reich-Chancellor or Reich-Minister did not assume any more the "responsibility before the Reichstag", as was the case within the limits of the Weimar parliamentary system. The counter-signature was used in this case rather as a suitable technical form for safe-guarding the unified direction of the State as long as a dual Chief of State existed. This technical reason for maintaining the counter-signature was rendered unnecessary with the assumption of the presidential powers by the Fuehrer. Today, it is not necessary any more according to constitutional law. The decrees of the Fuehrer have legal force, even if they are not counter-signed by a Reich-Minister. Such was particularly the order of execution of the 4 Year Plan of 18 October 1936 (RGBl I 887) which in fact contains a law issued by the Fuehrer alone without any counter-signature.

As a rule, the decrees of the Fuehrer, are on the other hand, even today co-signed by the Minister of the department concerned. Authorized to co-sign are the Reich-Ministers, within the limits of their departments. Furthermore the Chiefs of the Presidential-Chancellory and of the Reich-Chancellory for their departments (Decree of 22 November 1934, not published), and also the State-Secretaries of a Reich-Minister who is temporarily unavailable (Decree of 20 March 1935, RMinBl. 423). The decrees concerning the party are co-signed by the Deputy Commander of the Fuehrer, decrees concerning the range of problems of the 4 Year Plan by the Deputy of the 4 Year Plan and the military decrees by the Chief of the Supreme Command of the Armed Forces. The Chiefs of the Supreme Reich-Bureaus who are not Reich-Ministers are not authorized to co-sign.

Co-signature is being regularly maintained for two reasons. For once, the co-signature brings out the fact that the Minister of the department is more then a mere technical auxiliary tool of the Fuehrer, that he performs rather independent and objective work which requires of course the approval of the Fuehrer but which is nevertheless the Minister's own work and performance. Thus, the co-signature gives prominence to the fact that the Minister is an independent collaborator and not only an executive instrument. Also, the co-signature is therefore documentary proof - and this is the second reason - for the responsibility of the Minister of the department, naturally not before the Parliament but before the Fuehrer himself. By co-signing the Minister accepts the responsibility before the Fuehrer that the decree is practical, has been carefully considered and thoroughly worked out. Such a responsibility of the Minister before the Chief of the State could not exist under the radical parliamentary Republic.* The independence of the Minister from the Chief of State and his responsibility before the Parliament would have been weakened in that way. Under the old constitutional system, on the other hand, (as well as under the presidential system formed after the constitutional system) this responsibility of the counter-signing Minister also before the Chief of State was in existence. This type of "Minister responsibility" is indispensable under the Fuehrer Constitution. In view of the number and the importance of affairs, it is self-evident that the Fuehrer needs the advice, the suggestions, and the proposals of his collaborators; political leadership is impossible without reliable collaborators. The Ministers are responsible to the Fuehrer by their oath for competent and reliable counsel and preparation of his decisions. This responsibility of the Ministers of the various departments finds its public expression by their counter-signature. This counter-signature is not necessary, nevertheless. The Fuehrer can do without it and issue all decrees and decisions which have full legal effect by his own accord.

* Not in concurrence: Marschall von Bieberstein, the responsibility of the Reich-Ministers (Die Verantwortlichfeit der Reichsminister) Hbdd STR. Vol. 1. Page 542.

H1136 - 0049

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1774-PS

23 October 1945

I, FRED NIEBERGALL, 2nd Lt., Inf., O-133 55 67, hereby certify that I am thoroughly conversant with the German and English languages; and that the above is a correct and true translation of Document No. 1774-PS.

FRED NIEBERGALL
2nd Lt., Inf.,
O-133 55 67.

TRANSLATION OF DOCUMENT 1942-PS
OFFICE OF U S CHIEF OF COUNSEL

Extract from "Rechtseinrichtungen und Rechtsaufgaben der Bewegung" by Dr Otto Gauweiler (Munich 1939), page 20.

a) Amendments in Reich Legislation:

By an order of the Fuehrer, dated 25 July 1934, his Deputy, as well as appointed reviewers, were given the power to take part in the editing of bills dealing with all the departments of the Reich. On the basis of this decree, the Deputy of the Fuehrer was to be invited to all discussions of the department heads, to which he could also send his representatives. Drafts of the laws had to be presented to the Deputy of the Fuehrer in the form of reviewer's drafts (Referentenentwürfe) and not as Cabinet bills. From a special order from the Fuehrer, 6 April 35, this privilege of participation in government affairs by the Fuehrer's Deputy was expanded to include all executive decisions and orders insofar as they were published in the Reichsgesetzblatt. The Deputy of the Fuehrer can on his own initiative introduce bills, etc. regardless in what field; insofar as the good of the party is concerned, he is the man in charge.

1942 PS

Thus, the direct influence of the movement on the legislation and the executive branch was assured at a point where up to now the laws were an internal affair of the individual ministries. From now on, technical considerations or considerations of time cannot interfere with the requests and plans of the party.

- - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1942-PS

15 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1942-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1136 - 0050

PARTIAL TRANSLATION OF DOCUMENT 1997-PS
OFFICE OF U S CHIEF OF COUNSEL

Copy of RK. 10714 B.

Decree of the Führer

concerning the administration of the newly-occupied Eastern territories.
dated the 17 July 1941.

In order to restore and maintain public order and public life in the newly-occupied Eastern territories I decree that:

Article 1.

As soon as the military operations in the newly-occupied territories are over, the adminstration of these territories shall be transferred from the military establishments to the civil-administration establishments. I shall from time to time determine by special decree, the territories which according to this are to be transferred to the civil administration, and the time when this is to take place.

Article 2.

The Civil Administration in the newly occupied Eastern territories, where these territories are not included in the administration of the territories bordering on the Reich or the General government, is subject to the "Reich Minister for the Occupied Eastern territories."

Article 3.

Military sovereign rights and powers are exercised by the commanders of the Armed Forces in the newly-occupied Eastern territories in accordance with my decree of 25 June 1941.

The powers of the Commissioner for the 4-year plan in the newly-occupied Eastern territories, according to my decree of 29 June 1941, and those of the Reichsführer SS and Chief of the German Police according to my decree of 17 July 1941, are subject to special ruling, and are not effected by the following regulations.

Article 4.

I appoint Reichsleiter Alfred Rosenberg as Reich Minister for the Occupied Eastern Territories. He will hold office in Berlin.

Article 5.

The parts of the newly-occupied Eastern territories which are subject to the Reich Minister for the Occupied Eastern Territories are to be divided into Reich Commissariats, which are to be divided into General Regions (Generalbezirke) and these again into District Areas (Kreisgebiete). Several "Kreisgebiete" can be joined into a Main Region (Hauptbezirk). The Reich Minister for the Occupied Eastern Territories will issue more detailed instructions on this subject.

Article 6.

At the head of each Reich Commissariat will be a Reich Commissar; at the head of each General Region a Commissar-General and at the head of every District Area an Area Commissar (Gebietskommissar). Where a Main Region is formed, there will be a Head-Commissar (Hauptkommissar) in charge.

The Reich Commissars and the Commissar-Generals will be appointed by me, the heads of the main sections in the bureaux of the Reich Commissars,

1997 PS

H1136 - 0051

as well as the Head Commissars and District Commissars will be appointed by the Reich Minister for the Occupied Eastern Territories.

Article 7.

In cases where Article 3 is not applicable, the Reich Commissars will be responsible to the Reich Minister for the Occupied Eastern Territories, and will receive instructions exclusively from him.

Article 8.

It is the responsibility of the Reich Minister for the Occupied Eastern Territories to legislate for the newly occupied territories under his jurisdiction. He can delegate the legislative power to the Reich Commissars.

Article 9.

As regards civil affairs, the Reich Commissars are responsible for the whole administration of their territory.

As long as military operations are in progress, it is the duty of the highest competent authorities of the Reich to guarantee railway and postal services in accordance with the instructions of the Chief of Supreme Command of the Armed Forces. Further ruling will remain pending until the time the military operations cease.

Article 10.

In order that the measures taken by the Reich Minister for the occupied Eastern Territories or by the Reich Commissars in their areas may be brought into harmony with the over-all (übergeordnete) aspects of the interests of the Reich, the Reich Minister for the Occupied Eastern Territories will maintain close liaison with the highest Reich authorities. In differences of opinion which cannot be settled by direct negotiations, my decision is to be obtained through the Reich Minister and Chief of the Reich Chancellory.

Article 11.

The necessary regulations for carrying out and supplementing this decree will be issued by the Reich Minister for the occupied Eastern Territories in agreement with the Reich Minister and Chief of the Reich Chancellory.

Führer's Headquarters, 17 July 1941

The Führer
Signed: Adolf Hitler

(L.S.)

Chief of Supreme Command
of the Armed Forces

Signed: Keitel

Reich Minister and Chief of the Reich Chancery

Signed: Dr. Lammers.

H1136 - 0052

Copy of RK. 10714 B.

Decree of the Führer concerning the Appointment of Commanders of the Armed Forces in the newly-occupied Eastern Territories.

I). In the newly occupied Eastern territories, the Commanders of the Armed Forces, as the highest representatives of the Armed Forces, exercise military sovereign rights and the territorial powers of command.

The Commanders of the Armed Forces are appointed by me. They are subordinate to the Chief of Supreme Command of the Armed Forces and receive their instructions from him in accordance with my general directions.

II). It is the duty of the Commanders of the Armed Forces to give military security to the territory within and against surprise threat from without.

They give support to the Reich Commissars in their political and administrative tasks and as a body put the case to them for the demands of the Armed Forces, particularly with regard to the use of the land for supplying the troops in combat.

III). The requirements of the Armed Forces as regards civil affairs will be effected by the Reich Commissars.

Should there be danger of delay the Commanders have the right, even in civil matters, to give orders for the necessary measures for the conduct of military operations.

The Commanders of the Armed Forces can delegate this right temporarily to local Commanders.

The instructions of the Armed Forces establishments issued by virtue of these powers take precedence over all other orders.

IV). For carrying out and supplementing this decree, the Chief of Supreme Command of the Armed Forces will draw up a service instruction for the Commanders of the Armed Forces.

Fuhrer's Headquarters, 25 June 1941

Signed: Adolf Hitler.

Copy of RK. 10714 B.

Decree of the Führer concerning Economy in the newly-occupied Eastern Territories. dated 29 July 1941.

(1) In the newly-occupied Eastern Territories, Reich Marshal Hermann Göring as Commissioner for the 4-Year Plan, issues orders, as far as the powers he has in this capacity allow, for measures to be taken which are necessary for the maximum utilization of the stocks and economic potential found there and for the expansion (Ausbau) of industrial forces to the advantage of German war economy.

(2) For this purpose he can also issue direct instructions to the Armed Forces establishments in the occupied Eastern territories.

(3) This decree comes into force this day. It should only be made public on special orders.

H1136 - 0053

Führer's Headquarters, 29 June 1941

The Führer
Signed: Adolf Hitler

The Chief of Supreme Command of the Armed Forces

(L.S.) Signed: Keitel

The Reich Minister and Chief of the Reich Chancellory

Signed: Dr. Lammers.

Copy of RK. 10714 B.

Decree of the Führer
concerning the policing of the newly-occupied Eastern Territories.
dated 17 July 1941.

I

The policing of the newly-occupied Eastern territories is the duty of the Reichsführer SS and Chief of the German Police.

II

After the introduction of civil administration in these territories, the Reichsführer SS is authorized to issue instructions to the Reich Commissars within the frame-work of his duties as described in Article I. When these instructions are of a general nature or are basically important from a political point of view, they should be forwarded via the Reich Minister for the occupied Eastern Territories, unless it is a matter of averting an imminent danger.

III

For carrying out the policing a senior Executive SS and Police Officer (Hoherer SS in Polizeiführer) will be assigned to every Reich Commissar, and he will be directly and personally responsible to the Reich Commissar.

Leaders of the SS and the Police will be assigned to the General-Head-, and Area Commissars, to whom they will be directly and personally responsible.

Führer's Headquarters, 17 July 1941.

The Führer
Signed: Adolf Hitler

Chief of Supreme Command of the Armed Forces

(L.S.) Signed: Keitel

Reich Minister and Chief of the Reich Chancellory

Signed: Dr. Lammers.

H1136 - 0054

TRANSLATION OF DOCUMENT 2194-PS
OFFICE OF U. S. CHIEF OF COUNSEL

REICH DEFENSE LAW

G-300 The Ministry for Economy and Labor Saxony Ref: Nbv:407g
Top Secret Dresden and 6 for September 1939
Tel: 52151/Long Distance 52051

To The Reich Protector in Bohemia and Moravia,
Transportation Section,
Attention of Construction Chief, Counselor Hirches
or Representative in the Office.

Prag

(STAMP) The Reich Protector in Bohemia and Moravia received, Prag, 5 Sept. 1939. No. 274.

Enclosed please find a copy of the Reich Defense law of 4 Sept. 1938 and a copy each of the decrees of the Reichsminister of Transportation dated 7 October 1938--RL/[illegible]10.2212/38, Top Secret-- and of 17 July 1939--RL/LV 1.2173/39, Top Secret, for your information and observance. By order --

3 Encl.: SIGNED: Kretzschmar.

Completed at Dresden 4 September 1939.

3 Enclosures. SIGNED: Schneider.

Receipt for the letter of 4 September 1939, Nbv:407g with 3 enclosures signed 5 September 1939 and returned to Construction Counselor Kretzschmar.

File: Nbv SIGNED: HI.

Top Secret
Enclosure 2.
RL/LV 1.2861/39G

The Reichsminister for Transportation.

RL/V 1.2173/39 Berlin 17 July 1939

44 plus 2 copies.
No. 45.

To the Subordinate Authority of the Reich and the States as well as the General Authority of the States to whom are attached:

(a) Waterways Deputies (Nbv).

(b) Deputies for Local Transportation (Nbv).

(c) Deputies for ocean traffic. (Sbv).

To each one individually:

Subject: Protection of the secrecy of the law for the Reich Defense. (RV--Gesetz).

Ref: Decree of 7 October 1938 RL/[illegible] 10.2212/38, Top Secret.

2194 PS

H1136 - 0055

The leader has agreed to the tacit omission of the secrecy protection of the Reich defense law of 4 September 1938 transmitted with the corresponding decree. In spite of the greater ease in business correspondence thus created, the following limitations, which are herewith brought to your attention for compliance, have been ordered by the competent office.

1. It remains prohibited to cite the Reich Defense law in public or in connection with laws to be promulgated, as well as publication of the contents of the law in its entirety.

2. It is permitted

   a. the mention of all installations founded on the Reich Defense law and their functions in public without referring to the law;

   b. the designature of laws which are prepared and announced in peacetime for war.

Deputy

Signed Baur.

SECRET STATE MATTER!

To GRS Nr. 10/39

Enclosure for RL/LV. I. 2861/39 g.

The Reich Traffic Minister

RL/I. 10. 2212/38 secret state matter

Berlin, W. 8, the 7th October 1938
Wilhelmstrasse 80.

47 and 3 copies

Examination Nr. 49

To the following Reich and State authorities from whom have been ordered

(a) deputies for water ways,

(b) deputies for the local traffic,

(c) deputies for ocean traffic

- but especially -

Subject: Reich Defense Law (Reichsverteidigungsgesetz).

Enclosed is transmitted copy of the Reich Defense law signed by the leader and Reich chancelor on 4 September 1938. The promulgation remains suspended.

Deputy

Signed Baur.

To Abv.: 407 g.

H1136 - 0056

H1136-0057

TOP MILITARY SECRET

To OKW Nr. 10/39

1432

Reich Defense Law (Reichsverteidigungsgesetz).

of 4 September 1938.

The Reich cabinet has decided on the following law which is announced herewith.

I. State of Defense,

par. 1

(1) As possessor of the complete power of state, the leader and Reich chancelor can decree for the Reich territory or its parts a "State of Defense".

(2) If the political situation demands it the leader and Reich chancelor decrees the "Mobilization". The mobilization can be limited to a part of the Reich or of the armed forces.

par. 2

(1) Once the territory of operation is determined the chief of the army and the commanders of the armies have upon declaration of the state of defense without further order the authority to exercise executive power in this operational territory.

(2) The commanders exercising executive powers can, effective for the territory of operations, promulgate laws, institute special courts, and issue directives to the officials and offices competent in the territory of operations, with the exception of the supreme Reich officials, the supreme Prussian country officials, and the Reich leaders of the NSDAP. The lawfulness of directives precedes directives from otherwise superior offices.

(3) The boundaries of the territory of operations are determined by the supreme commander of the armed forces.

(4) Special directives for the case of a surprise threat to the Reich territory.

If a part of the Reich territory is surprised by a military threat, and if special decrees for defense against this danger cannot be awaited, then the commanders of the imperiled service commands (Wehrkreise) have the right to issue the directives which cannot be delayed and which are necessary for the protection of the imperiled territory to all non-military offices within their sphere of command. The same rights apply to the commanding admirals of the Navy in case of surprise threats against the coastal territory, and to the commanders of air districts in case of surprise attacks from the air within the framework of their war tasks. The execution of these directives has precedence over the other commitments and the directives of superior offices. The named commanders can transmit their right of issuing directives to subordinate officers down to the village counselor (Standortaeltester).

par. 3

(1) With the declaration of the state of defense the plenipotentiaries for the Reich administration ("Generalbevollmaechtigte fuer die Reichsverwaltung" GBV) named by the leader and Reich chancelor takes over the uniform leadership of the non-military administration with exception of the economic administration.

To him are subordinate

the Reich minister of the Interior

the Reich minister of Law

the Reich minister for science, education and popular education,

the Reich minister for religious matters,

the Reich office for regional order (Raumordnung).

(2) The GBV must comply with the demands of the supreme command of the armed forces (OKW) which are of considerable importance for the armed forces. If the demands cannot be brought in accord with the affairs of the Reich administration the leader and Reich chancelor makes the decision.

(3) The GBV has the right within his sphere to issue laws with the accord of the OKW and GBW which differ from the existing laws.

par. 4

(1) With the declaration of the state of defense the chief deputy for economics ("Generalbevollmaechtigte fuer die Wirtschaft" GBW), appointed by the leader and Reich chancelor, takes over the direction of the economy except for the armament industry.

(2) It is the task of the GBW to put all economic forces into the service of the Reich defense, and to safeguard economically the life of the German nation. To him are subordinate

the Reich minister of economics,

the Reich minister of nutrition and agriculture,

the Reich minister of work,

the Reich chief of forestry,

the Reich commissar for price control.

He is furthermore responsible for directing the financing of the Reich defense within the realm of the Reich finance ministry and the Reich bank.

(3) The GBW must carry out the demands of the OKW which are of considerable importance for the armed forces; and he must insure the economic conditions for the production of the armament industry directed immediately by the OKW according to its demands. If the demands of the armed forces cannot be brought into accord with the affairs of economy, then the leader and Reich chancelor decides.

(4) The GBW has the right within his sphere to issue laws with the consent of the OKW and GBV which differ from the existing laws.

par. 5

(1) The Reich postal minister, the Reich transportation minister, and the general inspector for the German road net are, with the declaration of the state of defense, bound to the demands of the OKW for the immediate affairs of the armed forces.

H1136 - 0058

(2) The following will get orders from the OKW:

(a) the Reich transportation minister for the use of means of transportation,

(b) the Reich postal minister for the use and distribution of the complete communication connections to the armed forces and the other agencies.

(3) The Reich transportation minister must comply, with the declaration of the state of defense, with the demands of the GBV according to the directions given to him by the OKW for the use of the means of transportation.

(4) In the spheres of the Reich postal minister, of the Reich transportation minister, and of the general inspector for the German road net, the chief of the OKW has the right to promulgate laws in accord with the GBV and GBN which differ from the existing laws.

par. 6

The Reich ministers and chief Reich offices carry out the tasks within their spheres on their own responsibility, regardless of the special competence of the chief of the OKW, of the GBV, and of the GBN, according to paragraphs 3, 4 and 5

par. 7

For the shaping of the political will of the people the deputy of the leader of the NSDAP is responsible. He uses for that the NSDAP, its formations and coordinated units.

II. State of War

par. 8

(1) If the fight with an external enemy is forced upon the German people, the leader and Reich chancellor declares the state of war.

(2) With declaration of the state of war the war laws and war decrees come into force without further order. The legal consequences provided in other laws for the state of war become effective.

par. 9

If the state of defense is not already declared beforehand the decrees about the state of defense go into effect with declaration of the state of war.

III. Preparatory Measures

par. 10

The Reich Defense Counsel (Reichsverteidigungsrat (RVR):

(1) The task of the Reich Defense Counsel consists in peace time in the decision on all measures for the preparation of the Reich defense and the gathering together of all forces and means of the nation according to the directions of the leader and Reich chancellor. The tasks of the RVR in war time will be specially determined by the leader and Reich chancellor.

H1136 – 0059

(2) The leader and Reich chancellor is chairman in the RVR. His permanent deputy is general field marshall Goering. He has the right to call conferences of the RVR. Permanent members of the RVR are

the Reich minister of air and supreme commander of the air force,
the supreme commander of the army,
the supreme commander of the navy,
the chief of the OKW.,
the deputy of the leader,
the Reich minister and chief of the Reich chancellory,
the president of the secret cabinet council,
the chief plenipotentiary for the Reich administration,
the chief plenipotentiary for economics,
the Reich minister of foreign affairs,
the Reich minister of the interior,
the Reich finance minister
the Reich minister for popular enlightenment and propaganda,
the president of the Reich bank directory.

The other Reich ministers and the Reich offices directly subordinate to the leader and Reich chancellor are consulted if necessary. Further personalities can be called as the case demands.

par. 11

The Reich Defense Committee (Reichsverteidigungsausschuss RV.):

(1) The Reich defense committee is the working committee of the RVR. It prepares the decisions of the RVR, sees to their execution, and secures collaboration between armed forces, chief Reich offices, and party.

(2) Presiding is the chief of the OKW. He regulates the activity of the committee and gives the directions to the GBV and GBW. and to the Reich ministries not subordinated to them and to the chief Reich offices according to the decisions of the RVR, which directions are necessary for securing their uniform execution.

(3) The RV. is composed of the OKW., deputy of the commissioner for the four year plan, the leader staffs of the GBV and GBW., and the Reich Defense officials.

(4) Chief office officials for the Reich defense (RV-Referenten) and their deputies are commissioned by the deputy of the leader, by the Reich chancellory, by each Reich ministry, by the Reich leader of the SS and chief of the German police, by the Reich work leader, by the Reich forest master, by the chief inspector for the German road net, by the Reich office for regional order, by the Reich bank directory, and in the Prussian state ministry. The RV-Referent and his deputy are immediately subordinate to the minister or the state secretary, and to the chief of the Reich office, resp.

par. 12

The uniformity of the preparations for the start and the course of the mobilization is secured by the OKW.

As regards the actual formulation of the preparations, the GBV and GBW. make the arrangements for their sphere.

par. 13

The Chief Plenipotentiary for the Reich Administration (GBV):

The GBV conducts the preparations for the Reich defense in the sphere of the ministries and Reich offices subordinate to him according to paragraph 3. They are bound by his directions already in peace time.

H1136-0060

H1136-0061

par. 14

The Chief Plenipotentiary for Economics (GB.):

(1) The GB. conducts the economic preparations for the Reich defense as far as they do not come in the sphere of the OKW as regards the armament industry.

(2) The GB. must secure the economic conditions for the production of the armament industry immediately directed by the OKW according to its demands.

(3) The ministries and Reich offices named in paragraph 4 (2) are, within the framework of these directives, already bound for the preparation of the Reich defense to the directions of the GB., the Reich transportation minister to his demands according to paragraph 5 (3).

IV. Final Directions.

par. 15

Penal Directions.

Whoever acts against the orders of a decree promulgated on the basis of this law, on purpose or negligently, will be punished with a jail sentence and money fine or with one of these punishments, if the act is not punishable with a heavier sentence according to other decrees.

par. 16

Execution and Completion Directives.

The OKW promulgates in agreement with GBV and GB. the law and administrative directives necessary for the execution and completion of this law.

par. 17

The law takes effect immediately.

Berchtesgaden, the 4th September 1938.

The leader and Reich chancellor
signed Adolf Hitler

signed Goering
General Field Marshall

The deputy of the leader
signed R. Hess

The Reich Minister of the Interior
signed Frick

The Chief Plenipotentiary for Economics
signed Walther Funk

The Reich Foreign Minister
signed Ribbentrop

The Chief of the OKW
signed Keitel

The Reich Minister and Chief of the Reich Chancellory
signed Dr. Lammers

H1136 - 0062

TRANSLATION OF DOCUMENT NO. 2194-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Berchtesgaden, the 4, September 1938

Note to the Reich Defense Law

1. The Publications of the Reich Defense Law of 4 Sept. 1938, remains suspended.

2. The following laws and cabinet decisions are repeated effective immediately.

A. Reich Defense Law of 21 May 1935.

B. Decision of the Reich Cabinet of 4 April 1933 to form a Reich Defense Counsel.

C. Rectification and completion of 13 Dec. 1934 of the decision of the Reich Cabinet of 4 Apr. 1933.

D. Decision of the Reich Cabinet of 21 May 1935 on activity of the CB in peace times.

The Leader and Reich Chancellory,
(Signed) Adolph Hitler

The Reich Minister and Chief
of Reich Chancellory
(Signed) Dr. Lammers

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2149-PS

I, A. BREINER, X-046349, Civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2194-PS

A. BREINER
Civilian
X-046349

TRANSLATIONS OF EXTRACTS
OF DOCUMENT 2231-PS
OFFICE OF U S CHIEF OF COUNSEL

2231 PS

Extracts from:

"Die Reichstanzlei" by Hermann von Stutterheim

pp. 19-20

Nevertheless, there is still a "people's legislation" even in the Third Reich, but this does not restrict the legislative power of the Reich Cabinet (Reichsregierung) in any way. According to the law on the plebisite of 14th July 1933, the Reich Cabinet (Reichsregierung), which is, defacto and also, as we shall see later, de jure, nothing more nor less than the Führer, can apply to the people for its approval or disapproval of a measure which is envisaged by the Reich Cabinet (Reichsregierung), whereby it is also a matter of an approval or disapproval of a planned law. It is therefore impossible for a people's law to be passed without or even contrary to the will of the Führer. Neither can drafts of laws put up for approval be passed if the content has been altered in amy way. It must be either accepted or rejected just as it stands. Even should it be rejected, such a result of the vote does not oppose the will of the Führer. For, in as much as the Führer puts a law to the people's vote, an action which he takes of his own free will, he shows that he is quite prepared for the law to be rejected.

Within the Reich Cabinet (Reichsregierung), the Reich Chancellor was de jure at first also the president of the Reich Cabinet (Reichsregierung) was a body of people who made the decisions, in which the Reich Chancellor had only a seat and a vote. He could therefore be overruled. In practice, since the day of the assumption of power, this was no longer the case. The dominating personality of the Führer and the actual power possessed by him made it obvious from the start that the Reich Cabinet (Reichsregierung) could not make any decisions which did not coincide with the will of the Führer. The Reich Cabinet (Reichskabinett) accordingly was from the outset, nothing more than an advisory body to the Führer which was to advise the head of the cabinet (Regierungschef). Even if the result of this advice was still called "the decision of the Reich Cabinet (Reichsregierung)" the decision in reality was that of the Führer and Reich Chancellor, which, after a previous conference, was passed by the Reich Cabinet (Reichskabinett). The same applied to administrative measures, political resolutions and legal decisions. Later, this situation also gained its legal semblance by the duty of obedience of the Reich Ministers to the Führer and Reich Chancellor. This occurred at the time of the Reich Law of 16th October 1934, on the oath taken by Reich Ministers and members of the provincial governments (Laudesregierungen), by which the Reich Ministers had to swear loyalty and obedience to the leader of the German Reich and people, Adolf Hitler, Thereby, the whole administrative power was concentrated in the person of the Führer. From then on, he was also de jure head of the Reich, supreme legislator, Supreme Chief of all administration and supreme commander of the armed forces, without being restricted by any other factors or authorities when exercising the power with which he was endowed by virtur of the legal position. The cooperation of the members of the Cabinett(Regierungsmitglieder) in an advisory capacity in particular, is therefore no essential condition of the legality of the Cabinet laws (Regierungs-Gesetze). Even withou the advisory cooperation of the Cabinet (Kabinett), the Führer and Reich Chancellor can issue decrees which are of course always in the form of a "Führer Edict" or that of a Decree

H1136 - 0063

to differentiate between them and the designation "Reich Law" used for those laws issued with the formal cooperation of the Reich Cabinet (Reichskabinett).

pp. 25-31

It is neither an essential of the Führer State, nor does it conform to the personal characteristics of the Führer, that all the difficulties described above must be submitted to the supreme Führer for his decision. On the contrary: although the Reich Ministers are today basically subject to the unlimited quthoritative power of the Führer when making their decisions even in unimportant individual cases, they actually have an independance in carrying out their official functions such as was never enjoyed by Reich Ministers during the system period (systemzeit). Responsibility powers of decision, a driving energy and real authority, these are the qualities required, first and foremost by the Führer of his ministers. Therefore he allows them great freedom in carrying out their official functions. But, if the evolutionary New Order not to give way to revolutionary conditions, it is essential that the legal order be respected by the Reich Ministers, and by all their subordinate departments, And so it is necessary, in the middle of the gigantic process of reorganisation that we are now experiencing, that the Führer himself should continually be taking steps to abolish obstacles of a legal or any other kind which could not be eliminated in an other way by apportioning certain full powers and issuing other orders which might not be legally binding or might lack the required authority if they were not issued as laws or Führer Edicts. Anyone who has a certain amount of experience in the sphere of administration knows how extraordinarily difficult it is to gauge what retrospective effects interference with the traditional and established administrative system will have. Should such interference be unavoidable, if higher ends are to be gained, it is necessary to direct and restrict them so that unwanted repercussions are eliminated. Even with practical experience and a knowledgable survey of the whole sphere of administration and legislation, it is however also necessary to give thorough consideration to the problem to be solved before it is submitted to the Führer. Of course, the final decision can be made, to a certain extent, by the competent departmental Minister himself. Too often, however, he is unable to come to an agreement with those other ministers whose departments are affected by the measure intended and he sometimes lacks any definite knowledge of the Führers possible plans to which such measures must conform.

Considered theoretically, the Reich Cabinet (Reichskabinett) would be a suitable special committee to settle opposing points of view and make them fit in with the Führer's aims. In practice, however, this would mean that the cabinet (Kabinett) would be in almost continuous session, a quite impossible demand on the Führer. He has not the time to take part in long cabinet meetings (Kabinetsitznugen) to listen to detailed descriptions, justifications and counter-arguments which it is the duty of all ministers to make from the particular standpoint of their departments. The Führer must be free and have the necessary time for those great decisions, which must be made in the field of state-leadership in interior-policy and also especially in foreign policy and which he alone must make. For he is not called to be the arbitrator in differences both of opinion and of other things, but purely a leader, and inspiration, a commander-in-chief in short, a creator. That

H1136 - 0064

H1136 - 0065

causes the necessity of reducing cabinet meetings to the minimum and therefore only to those all-important question, so that even drafts of laws, befor they are handed to the Führer are to be dealt with, not during cabinet deliberations, but by the so-called process of circulation, i.e. by obtaining the written statement of agreement from the individual members of the cabinet.

Under these conditions, it is the duty, first and foremost, of the Chief of the Reich Chancellory to submit the matters to the Führer, for his decisions and orders, in a concentrated manner and a suitable chronological order. This saddles him with the necessity of keeping conversant the whole time with the most important matters in the sphere of administration, economy and politics and, at the same time, of concerning himself in the preliminary work of legislation. It falls to him in particular to see whether and in what form any direct interference is to be recommended to the Führer in as much as he must in any case be informed of occurrences in public life.

As they are so numerous, it is almost impossible to give an accurate individual picture of the extent and type of all the questions and concerns which, in this way, make up the substance of the reports made by the Chief of the Reich Chancellery to the Führer. These questions and concerns are extremely numerous and affect all spheres of public life. Fundamentally, only those concerns can be separated which are the responsibility of the President's Chancellory and of the Office of the head of the NSDAP and are laid before the Führer by the heads of these departments, as well, particularly, as all military matters, which the Chief of the Supreme Command of the Armed Forces has to report. Naturally even these matters could encroach on the sphere of activity of the Reich Chancellery on account of their connection with political and administrative questions and therefore require a special report by the Chief of the Reich Chancellery alone or together with the proper competent departmental heads.

Taken as a whole, it may be said that the severe limitation in frequency of the cabinet deliberations has resulted in a corresponding increase of the duties and heightening of the responsibility of the Chief of the Reich Chancellery.

However, the fact that cabinet meetings, under the pressure of circumstances, could take place only seldom, led to the necessity of setting up a special advisory body to the Führer in the form of a Secret cabinet council (Kabinettsrat) to advise the Führer on the direction of Foreign Policy. However, this fact meant a small reduction of the duties of the Reich Chancellery just as did the establishment of a cabinet council (Ministerrat) for the defence of the Reich later on. This subject will be dealt with anon. The "Secret Cabinet Council" (Kabinettsrat) was established by the Führer Edict of 4th February 1938. The following persons are members: Reich Minister Baron von Neurath as president, as members, Reich Foreign Minister, von Ribbentrop, General Field Marshall Goering, the deputy-Führer, Reich Minister Hess, Reich Minister of Enlightenment and Propaganda, Dr. Goebbels, Reich Minister and Chief of the Reich Chancellery, Dr. Lammers, C-in-C of the Army, General von Brauchitsch, C-in-C of the Navy, Dr. h.c. Raeder and Chief of the Supreme Command of the Armed Forces, General Keitel. The Reich Minister and Chief of the Reich Chancellery is in charge of any affairs with which the Secret Cabinet Council has to deal.

This is purely a deliberating body which is not called on or empowered to make orders or measures itself. The special conditions of the war, especially the need to change the legal position and to meet the fast-arising wartime requirements however, made it vital to disembarrass the Führer even in the sphere of legislation. This was accomplished by the Führer Edict of 30th August 1939. Under this, a "Cabinet Council for the defence of the Reich" was formed with the power to issue decrees with a legal authority should the Führer decide that a certain law was not to be issued by the Reich Cabinet (Reichsregierung) or by the Reichstag. The following persons are members of the Cabinet council for the defence of the Reich: General Field Marschall Goering as president, the deputy-Führer, the Plenipotentiary - General for Reich Administration, the Plenipotentiary - General for Economy, also the Reich Minister and Chief of the Reich Chancellery and the Chief of the Supreme Command of the Armed Forces. The president can invite other persons to attend the deliberations of the Cabinet Council. The Reich Minister and Chief of the Reich Chancellery is in charge of the affairs of the Cabinet Council. Another legislative body, therefore, came into existence but here again, in accordance with the authoritarian principle of leadership, it was an organisation of leadership in the hand of the Führer and Reich Chancellor, a legislative organisation, whose authority to issue decrees is based on the supreme legislative power of the Führer and which can be used in specific cases only if the Führer has not decided on some other procedure. Actually, the cabinet council's authority to issue decrees has been made use of to a great extent since the beginning of the war.

The most important decrees issued by the Cabinet Council for the defence of the Reich are the Following:
Decree on the appointment of Reich Defence Commissars dated 1st September 1939 (Reich Gazette I p 1565), Decree on the compensation for personal damage (Personal damage decree) dated 1st September 1939 (Reich Gazette I p 1623), Decree on measure concerning civic disputes, compulsory execution, bankruptcy and civic right dated 1st September 1939 (Reich Gazette I p 1656), Decree on special radio measures deated 1st September 1939 (Reich Gazette I p 1683), Decree on the restriction on changing the place of work dated 1st September 1939 (Reich Gazette I p 1685), War-economy decree dated 4th September 1939 (Reich Gazette I p 1609), Decree against elements of the population, dated 5th September 1939 (Reich Gazette I p 1679), Decree on the assessment of damage to property (damage to property assessment decree) dated 8th September 1939 (Reich Gazette I p 1754), Decree on the concession of delayed payment in legal disputes dated 7th October 1939 (Reich Gazette I p 2004), Decree on the treatment of enemy capital dated 15th January 1940 (Reich Gazette I p 191).

This short list of the most important Cabinet Council Decrees should suffice to make clear the extent and significanc of the Cabinet Council legislation. It is obvious that this has lifted a quite exceptionally heavy burden from the Führer's shoulders. The Reich Chancellery, however, participates fully in the work of the Cabinet Council since the Chief of the Reich Chancellery is not only a member but also directs its affairs. The Chief of the Reich Chancellery was given the task of directing these affairs because it put him in a position to keep the Führer conversant all the time with the work of the Cabinet Council. In this connection, the Chief of the Reich Chancellery, in cases where there is any doubt on the point, has to make sure that the Führer has the opportunity in good time to make clear whether he is in favour at all of a measure planned

H1136 - 0066

H1136 - 0067

by the Cabinet Council, or whether he would not prefer the form of a Cabinet (Regierung) or Reichstag law instead of a cabinet Council decree. Basically the right possessed by the Cabinet Council for the defence of the Reich to issue decrees is limited to legal matters directly connected with the defence of the Reich. However, in special cases and at times when the Führer is on a visit to the front, this rule cannot always be kept. Should there be any doubt, whether and to what extent deviations from this rule can be made, it usually falls to the Reich Minister and Chief of Reich Chancellery to take steps to obtain the Führer's decision should the occasion arise.

pp. 32-34

According to the assignment of duties in the Reich Cabinet (Reichsregierung) the Chief of the Reich Chancellery is in charge of the affairs of the Reich Cabinet (Reichsregierung) as well. In this capacity he has to arrange the meetings of the Reich Cabinet (Reichskabinett) on the direct instructions of the Führer and to issue summonses to these meetings together with the agenda and the subjects up for discussion. He must also see that the Reich Ministries concerned are in agreement beforehand on the subjects to be discussed, or, if they are not unanimous, that a clear position has been reached about the incompatibility of the various opinions and about the reasons for the opposed points of view. Ministerial conferences among the Ministers concerned may be held prior to the cabinet meeting to clear up these differences of opinion. These Ministerial Conferences under the chairmanship of the Reich Chancellor, took place before the assumption of power. Apart from exceptional occasions, this no longer occurs. Summaries to Ministerial Conferences are sent out by the Chief of the Reich Chancellery at the request of one or more of the ministers concerned; he then as a rule presides at these conferences Naturally, this does not apply to the numerous ministerial conferences arranged by the authoritative Reich Ministers of the day, in which the matters dealt with are such that it is not, or not yet, necessary that the Führer be informed; therfore the Reich Minister and Chief of the Reich Chancellery need not be present at the conferences.

The drafts of Cabinet laws (Regierungsgesetze) are first prepared by the authoritative ministry, that is the ministry most concerned, in agreement with any other ministry concerned, in the matter. There is sometimes a preliminary discussion of these in conferences between departmental heads (Chefbesprechungen) and then they are handed to the Chief of the Reich Chancellery who determines whether they are to be included in the agenda of a cabinet meeting (Kabinettsitzung) or whether the agreement of all the members of the cabinet (Kabinettsmitglieder) is to be obtained in writing by the so called process of circulation. Should there still be differences of opinion remaining unsolved when the cabinet (Kabinett) deliberates on the drafts of the laws, the Führer makes the final decision on the content of the law and its passing. This procedure is also followed when any opposition remains during the process of circulation and deliberation on the draft in a cabinet meeting seems impracticable for some reason or other.

Cabinet laws (Regierungsgesetze) decided on are drawn up and issued by the Führer and Reich Chancellor. The finished law, the actual legal document, is signed first by the Führer and then by the ministers concerned, who are thereby responsible to the Führer for the law. Apart from the Reich Ministers concerned, the Reich Minister and Chief of the Reich Chancellery

also appends his signature and, by this action, makes himself responsible that all Reich Ministers had the opportunity of stating their opinions. Furthermore, the president of the Cabinet Council for the defence of the Reich must append his signature to all Reich Laws, and that under the signature of the Führer and Reich Chancellor. Führer Edicts with a legislative content are always signed also by the Reich Minister and Chief of the Reich Chancellery. This rule of signatures is based mainly on an internal regulation of the Führer or on usage. It applies also to the Cabinet laws (Regierungsgesetze) which are issued as Reichstag laws or People's laws.

The Reich Minister and Chief of the Reich Chancellery who, as we know, directs the affairs of the Cabinet Council plays a similar part in the work of the Cabinet Council for the defence of the Reich in issuing decrees which, as mentioned above, have the authority of laws, as he does with the Cabinet laws (Regierungsgesetze). It must be noted, that the peculiarity in this case is that the subjects dealt with by the Cabinet Council are distributed not merely among the members of the Cabinet Council, but also amont all the members of the Cabinet (Kabinett) who are thereby given the opportunity of guarding the interests of their spheres of office by adding their appropriate standpoints in the Cabinet Council legislation, even if they do not participate in making the decree.

CERTIFICATE OF TRANSLATION
OF EXTRACTS OF
DOCUMENT NO 2231-PS

1 November 1945

I, HIERONIM TROMBALA, Capt., General List, 204771, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of extracts of Document 2231-PS.

HIERONIM TROMBALA
Capt., General List
204771

H1136 - 0068

H1136 - 0069

TRANSLATION OF DOCUMENT 2261-PS
OFFICE OF U.S. CHIEF OF COUNSEL

C O P Y !

The Reichs Minister of War
and Supreme Commander of the Armed Forces
No. 1820/35 Top Secret L. II a

Berlin, 24 June 1

TOP SECRET

To
The Supreme Commander of the Army
The Supreme Commander of the Navy
The Supreme Commander of the Air Forces

In the appendix I transmit one copy each if the law for the defence of the Reich of the 21 May 1935 and of a decision of the Reichs Cabinet of 21 May 1935 concerning the Reich's defense council. The publication of the Reich's defense law is temperrarily suspended by order of the Fuehrer and Reichschancellor.

The Fuehrer and Reichschancellor has nominated the President of the directorate of the Reichsbank Dr. Schacht to be "plenipotentiary-general for war economy".

I request that the copies of the Reich's defense law needed within the units of the armed forces be ordered before 1 July 1935 at armed forces office (L) where it is to be established with the request that the law should only be distributed down to Corps Headquarters outside of the Reichministry of war.

I point out the necessity of strictest secrecy once more.

(Signed) von Blomberg.

No. 1820/35 L Top Secret II a Berlin, 3 Sept 1935

To
Defense-Economic Group G-3
copy

transmitted

(signed) Jodl

2261 PS

H1136 - 0070

TRANSLATION OF DOCUMENT 2261-PS
OFFICE OF U.S. CHIEF OF COUNSEL
(Cont.)

Copy

Reichs' Defense Law
of 21 May 1935

The Reichs Cabinet has enacted the following law that is hereby made public:

Part I State of Defense

ARTICLE 1.

The Fuehrer and Reichschancellor can declare a state of defense for the area of the Reich in case danger of war threatens.

ARTICLE 2.

(1) With the declaration of a state of defense the entire power of execution devolves upon the Fuehrer and Reichschancellor. The Reichsminister of war exercizes it by his orders.

(2) The Reichsminister is empowered in the carrying out of the power of execution to issue legal regulations which may deviate from existing laws. He can, in order to enforce his regulation, threaten punishments and set up special courts.

ARTICLE 3.

(1) The Reichsminister care to observe the instructions of the Reichsminister of war. They remain the highest Reich authorities with their realm of activity.

(2) The Reichsminister will in case of a state of defense effect the necessary measures and are empowered to issue legal regulations which may deviate from existing laws.

Part II Mobilization

ARTICLE 4.

(1) If conflict with an external enemy becomes unavoidable, the Fuehrer and Reichschancellor can order mobilization.

(2) The ordering of mobilization includes in itself the declaration of a state of defense according to Part I, in case the latter is not already proclaimed, without projudice to the directive of Article Six.

(3) With the ordering of mobilization a state of war in the definit of this law begins.

ARTICLE 5.

The Reichsminister will effect the necessary measures in case of mobilization and are empowered to issue legal regulations which may deviate from existing laws.

H1136 - 0071

TRANSLATION OF DOCUMENT 2261-
OFFICE OF U.S. CHIEF OF COUNS
(cont'd)

ARTICLE 6.

(1) The Fuehrer and Reichschancellor will appoint a plenipotentiary-general for war economy to direct the entire war economy.

(2) It is the task of the plenipotentiary-general for war-econo to put all economic forces in the service of carrying on the wa and to secure the life of the German people economically.

(3) Subordinate to him are:

The Reichsminister for economy
The Reichsminister for food and agriculture
The Reichs labor minister
The Reichs forest master and all Reichs' agencies immediate subordinate to the Fuehrer and Reichschancellor.

Furthermore the financing of the war effort, (in the provinc of the Reichs finance ministry and of the Reichsbank) will be carried on under his responsibility.

(4) The plenipotentiary-general for war economy is authorized, within his realm of responsibility, to issue legal regulations, which may deviate from the existing laws.

Part III Setting of penalties and Conclusions

ARTICLE 7

Whoever purposely or carelessly acts in violation of a decree issued by authority of this law will be, insofar as a severer punishment is not stipulated according to other directives, punished with jail and with fine or with one of these penalties.

ARTICLE 8.

The Fuehrer and Reichschancellor will issue the necessary legal and administrative directives for carrying out of this law.

Berlin, 21 May 1935

The Fuehrer and Reichschancello
(signed) ADOLF HITLER
The Reichsminister of war
(signed) VON BLOMBERG
The Reichsminister of the Inter
(signed) FRICK

Note
on the law for the defense of the Reich
of 21 May 1935

The publication of the law for the defense of the Reich of 21 May 1935 will be suspended. The law became effective 21 May 1935.

The Fuehrer and Reichschancellor
(signed) ADOLF HITLER

H1136 - 0072

Copy.

Copy. Decision of the Reichscabinet of 21 May 1935
on the Council for the defense of the Reich.

Supplementing the decision of the Reichscabinet of 4 April 1933 and 13 Dec 34 on formation of a council for defense of the Reich, the Reichscabinet has made the following decision:

1.) The plenipotentiary-general for war economy appointed by the Fuehrer and Reichschancellor will begin his work already in peacetime. At the suggestion of the chairman of the Council for the defense of the Reich, he will direct the economic preparations for war, insofar as they do not, in reference to the armament industry fall into the province of the Reichs' Ministry of war. In case of mobilization the following are subordinate to him:

Reichsministry of economic affairs
Reichsministry for food and agriculture
Reichsministry of Labor
Reich's forest-master and all Reichsoffices immediately subordinate to the Fuehrer.

In case of mobilization he will direct and be responsible for the financing of the war effort (in the province of the financeministry and the Reichsbank).

These ministries and the Reich's authorities are bound already in time of peace to observe his recommendations for the preparation of a war economy and the financing of the war-effort.

2.) The Reichsminister of War and the plenipotentiary for war economy will effect the preparations for mobilization in closest cooperation on both sides.

3.) The plenipotentiary-general for war-economy will be a permanent member of the Reich Defense Council (Reichsverteidigungsrat). Within the working committee he represents through his leadership staff the interests of war economy. The department heads (Referenten) for the defense of the Reich of the Ministries mentioned in Point I are bound by the recommendations of this leadership staff.

Foundation:

The State of War, an institution of the old law, as it was established in the old Reichsconstitution of 1871, the Prussian law on the state of siege of 4 June 1861 and the Bavarian law on the state of war of 5 Nov 1912, has been only incompletely replaced in Article 48 of the Reichsconstitution of 11 August 1919. Moreover, the provisions of Article 48 no longer correspond to the actual legal conditions.

The new law for the defense of the Reich should create clear legal bases for the transfer of the whole machinery of state from a state of peace to one of war. In this connection it was to be noted that a state of war can begin unexpectedly or from a state of foreign political tension. Since the time of such tension must be utilized as far as foreign political relations will bear, it in order to create a readiness for war in time, the law for the defense of the Reich provides two steps for the transfer from state of peace to state of war:

1. The state of defense
2. The mobilization

H1136 - 0073

For both steps of war preparation, the law gives the legal basis, upon whichthe individual measures of the Reichsdepartments can be built up as the council for the defense of the Reich instructs.

It is to be mentioned in regard to the provisions of the law in detail:

To Article 2

The exercise of the power of execution by the Reichminister of war under the Führer and Reichschancellor should emphasize the pressing necessity of all demands of the immediate conduct of the war and should guarantee their fulfillment.

To Article 4, Section 3

In numerous laws speical provisions for war are contained. It is therefor necessary, to establish the beginning of a state of war, in respect to times in order to create clear conditions for the administration of justice etc. Since, however, in a future war official declarations of war are not to be expected, as a result of which Article 42 Section 2 of the Reichsconstitution also is obsolete, the beginning of a state of war is to be considered as being at the same time as the beginning of the mobilization.

To Article 6

The experiences of the great war have demonstrated the necessity of including during a war the entire economy and the financing ofthe conduct of the war under unified leadership. The plenipotentiary-general for war-economy should according to the will of the Führer and Reichschancellor take over the responsible leadership and stands thereby independently along side the Reichsminister of war, the possessor of the power of execution, and responsible for the realm of activity under the Führer and Reichschancellor.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2261-PS

28 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a correct and true translation of Document No. 2261-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

Exhibit U.S.A. 396
Filed Dec. 18, 1945

H1136 - 0074

PAG I

PARTIAL TRANSLATION OF DOCUMENT 2380-PS
OFFICE OF U S CHIEF OF COUNSEL

National Socialist Year Book 1935

published with the co-operation of the Reichsleitung
of the N.S.D.A.P.
by
Reichsleiter
PHILIPP BOUHLER
Reich business manager of the N. S. D. A. P.

NATIONAL SOCIALISTISCHES JAHRBUCH 1935

herausgegeben unter Mitwirkung der Reichsleitung
der N.S.D.A.P.
von
Reichsleiter
PHILIPP BOUHLER
Reichsgeschaeftsfuehrer der N.S.D.A.P.

Central Publishing House fo the NSDAP, Franz Eher Succ.
MUNICH - BERLIN

Zentralverlag der NSDAP Franz EHER Nachf.,
MUENCHEN - BERLIN.

(Page 212)

It was reserved for the nationalsocialist revolution of 1933, for the first time in German history to introduce the construction of a unified German state. Adolf Hitler never left any doubt from the first days of his political activity that he considers the first mission of Nationalsocialis to create a German Reich in which the will of the people can be directed in to one direction, and in which the entire strength of the people can be put into the scales even toward the outside.

(Page 213 - 214)

The relationship between the Reich and the states has been put on an entirely new basis, never known in the history of the German people. It gives to the Reich cabinet (REICHSREGIERUNG) unlimited power, it even makes it its duty, to build a completely unified leadership and administration of the Reich. From now on, there is only one national authority: The one of the Reich! Thus, the German Reich has become a unified state, and the entire administration in the states in only carried out by order or in the name of the Reich. The state borders are now only administration, technical are boundaries but no longer boundaries of sovereignty!

In calm determination, the Reich cabinet (REICHSREGIERUNG) realizes step by step, supported by the confidence of the entire German people, the great longing of the Nation. The creation of the nationalsocialist German, unified state.

(Page 223 - 224)

Actually one cannot speak of an activity of the nationalsocialists in the Reichstag since the new election of 12 Nov 1933. The Fuehrer and people's Chancellor has coupled this last, overwhelming demonstration of popular will with a foreign-political measure, which, so to say, was long overdue, namely the withdrawal of Germany from the League of Nations, which absolutely does not want to be anything else than a willing organ of the "victor nations", mainly France and her vassals, and who refuses, to honor the accepted disarmament obligation on the basis of absolute equality for Germany.

2380 PS

H1136 - 0075

PARTIAL TRANSLATION OF DOCUMENT 2380-PS
Cont'd

To take away the possibility from the member nation of the league, interested in the continuation of existing conditions, to say, that Hitler's cabinet did not act with the agreement of the majority of the German people, the REICHSPRASIDENT dissolves the Reichstag and with the new election, the electorate was espedially asked, whether it agreed to the foreign political positions of the government or not . Some 42 million voters or 95% of the entidy made the government's position their own, and almost 40 millions or 90% the electorate voted for the list of nominees of the N.S.D.A.P. 661 delegates, who all are members or guests of the nationalsocialist faction, entered the Reichstag. However, there were no other lists of nominees than the one of the N.S.D.A.P.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2380-PS

11. November 1945

I, WILLIARD EVANS SKIDMORE, Lt. (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and the German languages; and that the above is a true and correct translation of Document no. 2380-PS.

WILLARD EVANS SKIDMORE
Lt. (jg) USNR
391590

2380 PS

TRANSLATION OF DOCUMENT 2473-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Translation of Selected Pages of the National Socialist Yearbook (Nationalsozialistisches Jahrbuch) Edition of 1943. Editor ("Herausgeber"), the Reich Organization Leader of the NSDAP (Dr. Robert Ley). Published by the Central Publishing House of the NSDAP, Franz Eher Successor, Munich.

- -

Page 170.

THE REICHSLEITERS OF THE NSDAP

Max Amann	Reichsleiter for the Press.
Martin Bormann	Chief of the Party Chancery.
Phillipp Bouhler	Chief of the Chancery of the Fuehrer of the NSDAP. Chairman of the official Party Investigation Commission for the Protection of National Socialist Writings.
Walter Darre	On leave.
Otto Dietrich	Reich Press Chief of the NSDAP.
Franz von Epp	Chief of the Kolonialpolitischen amtes.
Karl Fiehler	Chief of the main office for Municipal Politics.
Wilhelm Frick	Leader of the National Socialist "faction" in the Reichstag.
Joseph Goebbels	Reich Propaganda Leader of the NSDAP.
Konstantin Hierl	Leader of the Reich Labour.
Heinrich Himmler	Reich Leader of the SS. The Deputy of the NSDAP, for all questions of Germandom.
Robert Ley	Reich Organization Leader of the NSDAP. Leader of the German Labour Front.

2473 PS

H1136 - 0076

H1136 - 0077

Victor Lutze	Chief of Staff of the SA.
Alfred Rosenberg	Representative of the Fuehrer for the supervision of all mental and ideological training and education of the NSDAP.
Baldur von Schirach	Reich Leader for the Education of Youth of the NSDAP.
Franz Xaver Schwarz	Reich Treasurer of the NSDAP.

CERTIFICATE OF TRANSLATION OF
DOCUMENT NO. 2473-PS.

6 November 1945

I, Gerard Schaefer, 2nd Lt., Inf., 01332102, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2473-PS.

Gerard Schaefer,
2nd Lt., Inf.,
01332102.

H1136 - 0078

TRANSLATION OF DOCUMENT 2608-PS
OFFICE OF U S CHIEF OF COUNSEL

The Ad ministration in Wartime
by
Dr. Wilhelm Frick
Reichsminister of the Interior
Freiburg, I940

Lecture given by Dr. Frick on March 7, I940 before the University of Freiburg, Breisgau

pages I3-I7

..... The organization of the non-military national defense fits oganically into the entire structure of the National Socialist government and administration. This state of affairs is not exceptional, but a necessary and planned (sinnvoll) part of the National Socialist order. Thus, the conversion of our administration and economy to wartime conditions has been accomplished very quickly and without any friction-avoiding the otherwise very dangerous changes of the entire structure (of the State).

The planned preparation (of the administration) for the possibility of a war has already been carried out during the peace. For this purpose, the Fuehrer appointed a Plenipotentiary General for the Reich Administration and a Plenipotentiary General for the Economy. The Plenipotentiary for Administration was placed in charge of the coordination of the non-military administrations, with the exception of the Administration of Economics, Therefore, the following agencies were subordinated to him. the Reich Ministry of the Interior, the Reich Ministry of Justice, the Reich Ministry of Education, the Reich Ministry of Church, the Reich Agency for Planning. The Plenipotentiary General for Economy was placed in charge of the economic administration with the exception of the armament industry. It became his duty to make use of all economic forces in the interest of the defense of the Reich, and to guarantee the security of the economic existance of the German people. He took charge of the Reich Ministry of Economics, of the Reich Ministry of Nutrition, of the Reich Ministry of Labor, of the Reich Forestry Agency and the Reich Commissioner for Price Policy. The Plenipotentiary for Administration and the Plenipotentiary for Economics have the right to make decree laws in mutual agreement and with the agreement of the High Command of the German Armed Forces, such decree laws can deviate from existing laws. In order to simplify the legislation for the purpose of war, a "three man college" was created.

The jurisdiction of the Plenipotentiary for Economy w as restricted after the outbreak of war. This restriction was the result of the competition in jurisdiction between the Plenipotentiary for Economy and the Commissioner for the Four Year Plan. During the time of peace, the Commissioner for the Four Year Plan had the duty of bringing the economy of the Reich to a peak by using the existing raw materials and by decreasing the dependency if the German economy of foreign countries as much as possible, on the other hand, the Plenipotentiary for Economy had the special task of the economic preparation for war. After the outbreak of the war, the job of the Commissioner of the Four Year Plan had to be extended as a purely wartime economic measure. Under these cicumstances, a clear demarcation of the jurisdiction and competency was urgent. This was done upon the suggestion of the Plenipotentiary for Economy in the following way.: The Commissioner of the Four Year Plan, General Field Marshal Goering, took over the direction of the entire war economy, the activities of the Plenipotentiary for Economy were restricted to economic policy and to financing the war in line with the duties of the Reich Ministry of Economics and the Reich Bank. In order to guarantee the coordination of the various economic agencies of the Four Year Plan, these agencies into a General Council under the chairmanship of General Field Marshal Goering, its members are the State Secretaries of the agencies working in the field of war economy, the Chief of the Military Office for Economy, and a representative of the Deputy of the Fuehrer.

2608 PS

It is the chief duty of this General Council to coordinate the work of the various agencies, receive and examine the reports on the various war machine which might become necessary. It is a working community which clears the most important questions and makes the policy for their solution. However, the execution of the various measures, especially the drafting of the necessary decrees, remains the job of the proper agencies.

The Plenipotentiary for the Reich Administration, the Commissioner of the Four Year Plan and the Plenipotentiary for Economy direct the administration and the economy which are under their jurisdiction. Since the Fuehrer was occupied, after the outbreak of the war, with urgent military and political duties, it became necessary to create an organ which would relieve him and take over the concentrated direction of administration and economy in line with the needs of the defense of the Reich. -- The military leadership remained, of course, in the hands of the Armed Forces. For this purpose the Ministerial Council for the Defense of the Reich was formed from the Reich Defense Council. Within the organization of our State, the position of the Ministerial Council for the Defense of the Reich is characterized by the fact that for the duration of the war, it became the highest permanent organ of the Reich with comprehensive jurisdiction, responsible only to the Fuehrer.

The composition of the Ministerial Council for the Defense of the Reich shows the real concentration of power in it. General Field Marshal Goering is the chairman and also the Supreme Director of the War Economy and Commissioner for the Four Year Plan. He is joined by the Plenipotentiary General for the Reich Administration, who directs the entire civilian administration with the exception of the economic administration, and the Plenipotentiary General for Economy. The Chief of the High Command of the Armed Forces is the liaison man to the Armed Forces. It is primarily his duty to coordinate the measures for civilian defense in the area of administration and economy with the genuine military measures for the defense of the Reich. The Deputy of the Fuehrer represents the Party, thus guaranteeing the unity between Party and State also within the Ministerial Council for the Defense of the Reich. The Reich Minister and Chief of the Reich Chancellory is in charge of the business management of the Ministerial Council for the Defense of the Reich.

In order to perform its duties, the Ministerial Council for the Defense of the Reich has the power to issue decree laws. This power is restricted only insofar as the Fuehrer may order the passing of a law by the Reich Cabinet or the Reichstag. Otherwise the legislative power of Ministerial Council for the Defense of the Reich is without restriction, it has the power to regulate everything by decree. The circumscription of the duties as laid down in the introductory remark on the Decree about the Formation of the Ministerial Council for the Defense of the Reich shows the goals and the laws passed by the Reich Cabinet and the Reichstag, the decrees of the cooperation of the Fuehrer. Numerous basic decrees have already been issued by the Ministerial Council for the Defense of the Reich e.g. the Decree about the Appointment of Commissioners for the Reich Defense of September 1, 1939, the Decree about Measures concernit the Law of Public Officials of September 1 1939, the Decree on War Economy of September 1 1939, the decree concerning personal Damages of September 1, 1939. By various decrees of the Ministerial Council for the Defense of the Reich, laws have been technically changed or even abolished

No further explanation is necessary for the fact that the Ministerial Council for the Defense of the Reich has the power to give directives in individual cases -- this power is not expressly mentioned in the Decree about the Formation of the Ministerial Council for the Defense of the Reich. However, this power is a result of the duties and the position of the Ministerial Council for the Defense of the Reich.

H1136 - 0079

H1136 - 0080

TRANSLATION OF DOCUMENT 2608-PS
OFFICE OF U S CHIEF OF COUNSEL

It was a result of the concentration of the power to give directives, a power which is in the hands of the individual members of the Ministerial Council for the Defense of the Reich, especially the Commissioner ofor the Four Year Plan and the Plenipotentiaries for the Administration and the Economy of the Reich and also of the Deputy of the Fuehrer.

The Ministerial Council for the Defense of the Reich, the highest legislative and executive organ in wartime next to the Fuehrer, created a subordinate organ for the purpose of the defense of the Reich: The Commissioners for the Reich Defense, who have their headquarters at the seat of the individual corps area.

12 Nov. 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2608-PS

I, GERHARD SCHAEFER, 2nd Lt , O-1332102, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document 2608-PS

GERHARD SCHAEFER
2nd Lt.
O-1332102

PARTIAL TRANSLATION OF DOCUMENT
NUMBER 2847-PS
OFFICE OF U S CHIEF OF COUNSEL

Reichsministerialblatt, 61st year
1933, p. 386, 1st Col.

First Amendment to the Joint Organization of Business in the Reich Ministries, Special Part (GGO II), ed. Berlin 1929.

The Reich cabinet has decided to amend the Joint Organization of Business in the Reich Ministries, Special Part (GGO II) as follows:

. . . . . .

paragraph 57c Submission of Drafts.

(1) Drafts for laws will be submitted in writing by the responsible Reichsminister to the State Secretary in the Reich Chancellery. The draft must show that it is a question of the Reich cabinet decreeing a law. It must indicate whether the Reich ministers concerned are in agreement with the draft. Under the method of simplified legislation, in the case of differences of opinion arising, the directive of the GGO I, paragraph 65, re personal attempts to reach agreement by the ministers concerned (conference of chiefs), is to be observed particularly. Any differences of opinion still remaining are to be mentioned briefly. It is to be stated in each individual case either that the execution of the law does not represent a financial liability for the Reich, counties and communities, or, if such is not the case, whether the Reich Minister of Finance and the President of the Reichs Accounting Board (Rechnungshof) in his capacity as Reichs Commissioner for Savings had raised objections to the law after having been informed of the plans. (Compare paragraph 27, Section 3). If this is not stated in the draft submitted, the Reich Chancellery will see to its being obtained.

(2) The draft will be accompanied by 30 copies. At the same time a copy is to go to each of the Reich ministers, unless departmental revision in the ministries is to be excluded as an exceptional measure.

(4) It is permissible to make decisions by using the circulation method, paragraph 37, section 4 applies.

(5) The draft submitted is to be accompanied by a preamble, which can be short in the case of simple laws. This preamble is intended to simplify the discussion of the draft in the cabinet, as well as to provide the necessary material for a subsequent interpretation of the law. The preamble must show the reasons for the draft, its construction and the substance of its contents, and must emphasize those points on which agreement was not reached in the preliminary discussions. The future utilization of the preamble for press releases must be kept in mind (paragraph 57D, Section 5).

(6) The letter to be submitted will therefore normally take the following form:

"To the State Secretary in the Reich Chancellery.

"I have the honour to submit the enclosed draft of a law concerning ..... as well as the preamble, with the request that it be included in the agenda of one of the next cabinet sessions and that it be decreed under the law for the Alleviation of the Distress of People and Reich of March 24, 1933 (RGBl I, page 141), or ..... that is be decreed by the method of circulation, under the law for the Alleviation of the Distress of People and Reich of 24 March 1933 (RGBl, I, page 141), since a decision through written channels will be sufficient.

"The Reich Ministers concerned have approved the draft. - Or: even after attempts at coming to an agreement no agreement could be reached between the Reich Minister for ..... and the Reich Minister for ..... .

2847 PS

H1136 - 0081

H1136 - 0082

PARTIAL TRANSLATION OF DOCUMENT
NO. 2847-PS, page 2.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2847-PS

17 November 1945

I, MAJOR L. A. HILL, M.C., 217840, British Army, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2847-PS.

Major L.A. HILL, M.C.
217840, British Army

PARTIAL TRANSLATION OF DOCUMENT
NUMBER 2847-PS
OFFICE OF U S CHIEF OF COUNSEL

H1136 - 0083

Reichsministerialblatt, 61st year
1933, p. 386, 1st Col.

First Amendment to the Joint Organization of Business in the Reich Ministries, Special Part (GGO II), ed. Berlin 1929.

The Reich cabinet has decided to amend the Joint Organization of Business in the Reich Ministries, Special Part (GGO II) as follows:

. . . . . .

paragraph 57c Submission of Drafts.

(1) Drafts for laws will be submitted in writing by the responsible Reichsminister to the State Secretary in the Reich Chancellery. The draft must show that it is a question of the Reich cabinet decreeing a law. It must indicate whether the Reich ministers concerned are in agreement with the draft. Under the method of simplified legislation, in the case of differences of opinion arising, the directive of the GGO I, paragraph 65, re personal attempts to reach agreement by the ministers concerned (conference of chiefs), is to be observed particularly. Any differences of opinion still remaining are to be mentioned briefly. It is to be stated in each individual case either that the execution of the law does not represent a financial liability for the Reich, counties and communities, or, if such is not the case, whether the Reich Minister of Finance and the President of the Reichs Accounting Board (Rechnungshof) in his capacity as Reichs Commissioner for Savings had raised objections to the law after having been informed of the plans. (Compare paragraph 27, Section 3). If this is not stated in the draft submitted, the Reich Chancellery will see to its being obtained.

(2) The draft will be accompanied by 30 copies. At the same time a copy is to go to each of the Reich ministers, unless departmental revision in the ministries is to be excluded as an exceptional measure.

(4) It is permissible to make decisions by using the circulation method, paragraph 37, section 4 applies.

(5) The draft submitted is to be accompanied by a preamble, which can be short in the case of simple laws. This preamble is intended to simplify the discussion of the draft in the cabinet, as well as to provide the necessary material for a subsequent interpretation of the law. The preamble must show the reasons for the draft, its construction and the substance of its contents, and must emphasize those points on which agreement was not reached in the preliminary discussions. The future utilization of the preamble for press releases must be kept in mind (paragraph 57D, Section 5).

(6) The letter to be submitted will therefore normally take the following form:

"To the State Secretary in the Reich Chancellery.

"I have the honour to submit the enclosed draft of a law concerning ..... as well as the preamble, with the request that it be included in the agenda of one of the next cabinet sessions and that it be decreed under the law for the Alleviation of the Distress of People and Reich of March 24, 1933 (RGBl I, page 141), or ..... that is be decreed by the method of circulation, under the law for the Alleviation of the Distress of People and Reich of 24 March 1933 (RGBl, I, page 141), since a decision through written channels will be sufficient.

"The Reich Ministers concerned have approved the draft. - Or: even after attempts at coming to an agreement no agreement could be reached between the Reich Minister for ..... and the Reich Minister for ..... .

H1136 - 0084

PARTIAL TRANSLATION OF DOCUMENT
NO. 2847-PS, page 2.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2847-PS

17 November 1945

I, MAJOR L. A. HILL, M.C., 217840, British Army, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2847-PS.

Major L.A. HILL, M.C.
217840, British Army

H1136 - 0085

TRANSLATION OF DOCUMENT 2848-PS
OFFICE OF U S CHIEF OF COUNSEL

(Stamped)
Rk 3183B
22 February 1940
Kri-Fi
Previous minutes in RK858B.LB.

During today's conference the Fuehrer discussed the relationship between the power of decrees of the Council of Ministers for Reich Defense and the legislation power of the Reich Cabinet, as well as the legislative privilege through Fuehrer decree. The Fuehrer emphasized that the council of Ministers for the Defense must limit the legislative activities to matters directly connected with the defense of the Reich, particularly at times when he - the Fuehrer - was absent from the Fuehrer Headquarters.

(2) Enter.

(3) To the Director in the Ministry Kritzinger.

Respectfully submitted with a request
for conference,

Signed: (Initial L).

Berlin, 21 February 1940.

(Hand written note). Obediently submitted to the Reichsminister in view of the intended conference with Generalfieldmarshall Goering and Reichsminister Gurtner about the punishment of unauthorized hunters.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2848 - PS

15, November 1945

I, Gerard SCHAEFER, 2nd Lt, 01332102, hereby certify that I am thoroughly conversant with the English and German language; and that the above is a true and correct translation of Document No 2848-PS.

Gerard SCHAEFER
2nd Lt
01332102

2848 PS

H1136 - 0086

TRANSLATION OF DOCUMENT 2849-PS
OFFICE OF U S CHIEF OF COUNSEL

Excerpts from: DAS DRITTE REICH IM AUFBAU.

Volume 4

State and Administration. The Organizational Structure. Part 3, Edited by Meier-Benneckenstein. Edited in 1939 by Junker and Dunnhaupt, Berlin.

The Reichsministry of the Interior. History and Structure. By Dr. Franz Albrecht Medicus, Manager in the Reichsministry of the Interior, Page 81.

(4) All basic State laws and the state jurisdiction were sponsored by the Reichsminister of the interior. They were submitted by him to the Reichs Cabinet for ratification or, in exceptional cases, they were submitted through the Reichs Cabinet to the Reichstag. But the Reichsminister of the Interior, also decisively collaborated - in his capacity as Constitutional and Legislative Minister - on those basic state laws which were not only concerned with questions of state legislation inasmuch as they prepared the legal realization of points of the National socialist program. Wherever questions of Constitutional Law or basic questions of the organizational structure of the Reich are concerned, the Reichsminister of the Interior participates. In the reconstruction of the State Legislation in the month immediately following the assumption of power, the work of the Reichsminister of Interio in matters of Constitutional legislation was, of course, particularly heavy.

Worked out by the Reich minister of the interior, the "Law for Alleviation of the Distress of People and Reich", in short called "Enabling Law", was issued on 24 March 1933, broke with the liberal principle of "division of power" by transferring the legislature from the Reichstag to the Reich Cabinet, so that legislation by personally responsible persons took the place of "anonymous" legislation.

2849 PS

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2849-PS

15 November 1945

I, Gerard SCHAEFER, 2nd Lt, 01332102, hereby certify that I am thoroughly conversant with the English and German language; and that the above is a true and correct translation of Document No 2849-PS.

Gerard SCHAEFER
2nd Lt
01332102

Exhibit U.S.A. 395
Filed Dec. 18, 1945

TRANSLATION OF DOCUMENT 2852-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Minutes of the meeting of the Council of Ministers for Reich Defense of 1 September 1939.

Present were the permanent members of the Council of Ministers for Reich Defense:

The Chairman: Generalfieldmarshall	Goering
The Deputy of the Fuehrer:	Hess (Crossed out)
The Plenipotentiary for Reich Administration	Dr. Frick
The Plenipotentiary for Economy	Funk
The Reich Minister and Chief of the Reich Chancellory	Dr. Lammers
Chief of the High Command of the Armed Forces	Keitel (Represented by Generalmajor Thomas)

Also:

Reich Minister for Food and Agriculture	Darre
State Secretaries	Korner
" "	Neumann
" "	Stuckart
" "	Posse
" "	Landfried
" "	Backe
" "	Syrup
Department Chief (Ministerialdirektor)	Gritzbach
"	Kritzinger

Responsible for the Protocol:

Department Chief	Kritzinger

The Council thoroughly discussed the decrees for temporary supply of the vital necessities of the German nation dated 27 August 1939 and the uniform regulation of consumption introduced by them, as well as other questions of economic policies.

The Council ratified the following decrees:

1. Decree for War Economy. (RGBl, Page 1609).
2. Decree about the release from citizenship. (RGBl I, Page 1658).
3. Decree about measures in the field of the civil service law. (RGBl, Page 1639).

2852 PS

H1136 - 0087

H1136 - 0088

4. Decree about the change of the military service law. (RGBl I Page 1639).

5. Decree for the organization of the market for grain legumens and fodder. (RGBl I Page 1566).

6. Decree about the organization of the administration and about the German safety police in the Protectorate of Bohemia and Moravia. (RGBl I Page 1681).

7. Decree about personal damages. (RGBl, I Page 1623).

8. Decrees about measures in the field of civil court procedure, foreclosures, bankruptcy, and civil law. (RGBl Page 1656).

9. Decree about measures in the field of court constitution and application of law. (RGBl Page 1658).

10. Decree about the appointment of Reich Defense Commissars (Page 1565, RGBl I).

11. Decree about the guarantee for the service, of debts of the Konversionskasse for German debts abroad. (Photostatic copy enclosed).

12. Decree for the change of the directives about commitment of labor and help for the unemployed. (RGBl, Page 1662).

13. Decree about changes and supplements of directives in the field of labor laws. (RGBl, Page 1683).

14. Decree about job freezing. (RGBl, Page 1685).

The Plenipotentiary for the Reich Administration pointed out that the Reich Minister for Enlightenment and Propaganda intended to propose a law which decreed punishment for any listening to foreign broadcasts and for disseminating the news of foreign stations and he considered to decree the surrender of all receiving sets.

The members of the Council agreed that such extreme measures, in particular the surrendering of radio receiving sets had better not be considered.

SIGNED: Kritzinger.

Director in the Ministry.

3

H1136 - 0089

Minutes of the meeting of the Council of Ministers for the Reich Defense, 4 September 1939.

Those present were the permanent members of the Council of Ministers for the Reich Defense:

The Chairman: Generalfieldmarshall	Goering
The Deputy of the Fuehrer	Hess (Represented by MD Sommer).
The Plenipotentiary for Reich Administration	Dr. Frick
The Plenipotentiary for Economy	Funk
The Reichsminister and Chief of the Reich Chancellery	Dr. Lammers (Represented by Kritzinger)
The Chief of the OKW	Keitel (Represented by Generalmajor Thomas)

Also:

The Reich Minister for Finances	Graf Schwerin von Krosigk
The Reich Minister for Food and Agriculture	Darre
State Secretary:	Korner
" "	Neumann
" "	Pfundtner
" "	Stuckart
" "	Posse
" "	Landfried
" "	Reinhardt
" "	Backe
" "	Syrup
Department Chief (Ministerialdirektor)	Gritzbach
Colonel	Gause
Responsible for the Protocol:	MD Kritzinger

The Chairman of the Council, Generalfieldmarshall Goering, first gave a general review of the foreign political and military situation.

The Council then discussed political and political-economical questions, in particular, the problem of barter with neutral foreign countries and the organization of the Commitment of Labor.

7

H1136 - 0090

The Council ratified the following decrees:

1. The decree against people detrimental to the nation. (RGBl I, Page 1679).

2. Decree about extraordinary measures concerning the radio. (RGBl I Page 1683).

3. Decrees about measures in the field of the law of private corporations and trade and economic co-operatives (RGBl I, Page 1694).

4. Decree about the change of the law about the liquidation of the circulation of Renten currency notes and the law about the German Reichsbank. (RGBl I Page 1694).

5. Decree about the execution of the Reich labor duty for the female youth. (RGBl I Page 1693).

6. Decree about the naturalization of volunteers for the armed services. (RGBl, Page 1741).

For the record

SIGNED: Fritzinger
Director of the Ministry

Minutes of the meeting of the Council of Ministers for the Reich Defense dated 8 September 1939

Present were the permanent members of the Council of Ministers for the Reich Defense.

Chairman, Generalfieldmarshall	Goering
The Deputy of the Fuehrer	Hess
The GBV	Dr. Frick
The GBW	Funk
The Reich Minister and Chief of the Reich Chancellory	Dr. Lammers
The Chief of the OKW	Keitel (Represented by General-Major Thomas)

H1136 – 0091

Also:

The Reich Minister for Food and Agriculture	Darre
State Minister	Ponitz
State Secretary	Korner
" "	Neumann
" " Generaloberst	Milch
" "	Pfundtner
" "	Stuckart
" "	Posse
" "	Landfried
" "	Syrup
" "	Backe
SS Gruppenfuehrer	Heydrich
Department Chief (Ministerialdirektor)	Sommer
"	Kritzinger
"	Lehmann
"	Gutterer

As well as the Defense Commissars

Responsible for the Protocol: MD Kritzinger

The Chairman of the Council of the Ministers for the Reich Defense gave a general survey about the military and political situation and then discussed the missions of the Reich Defense Commissars, whom he gave general points and directives regarding their duties. The problem of price regulation received special consideration. The Chairman of the Council of Ministers for the Reich Defense directed that the measures planned in this respect would be subjected to an immediate investigation of a special commission.

The Reich Minister for Food and Agriculture reported about the situation of food supply. The Council of Ministers for the Reich Defense ratified the decree for the change of the labor service law which had already been passed as law by the Reich Cabinet. (RGBl, I Page 1744).

For the record:

SIGNED: Kritzinger

Director of the Ministry

10

H1136 - 0092

Minutes of the meeting of the Council of the Reich Defense dated 19 September 1939.

Of the permanent members of the Council and Ministers for the Reich Defense the following were present:

The Chairman, Generalfieldmarshall	Goering
The Deputy of the Fuehrer	Hess
The GBV	Frick
The GBW	Funk
Also:	
The Reich Minister for Finance	Count Schwerin von Krosigk
The Reich Minister for Food and Agriculture	Darre
The Reich Minister for Enlightenment and Propaganda	Dr. Goebbels
State Minister	Dr. Lammers
State Secretary	Pfundtner
" "	Stuckart
" "	Kleinmann
" "	Neumann
" "	Backe
" "	Landfried
" "	Syrup
" "	Posse
Under Secretary of State	von Hanneken
Department Chief (Ministerialdirektor	Kritzinger
"	Gritzbach
S.S. Gruppenfuehrer	Heydrich
General of the Police (Ordnungspolizei)	Daluege
Major General	Thomas
Responsible for the Protocol; Reich Cabinet Counsel	Dr. Willuhn

The Chairman of the Council, Generalfieldmarshall Goering, made comments regarding the structure of civil administration in the occupied Polish territory. He expressed his intentions regarding the economic evacuation measures in this territory. Then the questions of decreasing wages and the questions of working hours and the support of members of families of inducted workers were discussed. On the basis of the report of the Reichsfuehrer SS the following matters were discussed: Distribution of foreign newspapers in Germany, the demarcation of the activities of the Red Cross, the NSV and the

Women's League, the supply of Catholic priests to the occupied territories, the execution of evacuation in the West, shelter for refugees, the consideration of economic viewpoints with regard to induction into the military service, procedure of ration card issue, distribution of food, black-out measures, radio publications, Hitler youth service, replacements for police, war-time graduation at schools, dances, transportation of goods out of Berlin, war income tax.

The Chairman directed that all members of the Council regularly receive the situation reports of the Reichsfuehrer-SS. Then the question of the population of the future Polish Protectorate was discussed and the placement of Jews living in Germany. The Chairman discussed the shipment of mineral oils out of Rumania. In this connection, the Under State Secretary, von Hanneken and State Secretary Kleinmann reported about boat space and transport possibilities. The latter pointed out the importance of the railway connection Czernowitz/Lemberg for traffic between Rumania and Germany.

The decree proposed by the Plenipotentiary (GBV) for the Reich Administration regarding the commitment of the older school youth was ratified. (RGBl, 1939, Page 1867).

The GBV announced that a regulation of working hours in the public administration was being prepared. It was intended to introduce uninterrupted working hours.

For the record

SIGNED: Willuhn

Reich Cabinet Counselor
(Reichskabinettsrat)

Minutes of the meeting of the Council of the Ministers for the Reich Defense, dated 16 October 1939.

Of the permanent members of the Council the following were present:

Chairman, Generalfieldmarshall	Goering
Deputy of the Fuehrer	Hess
The GBV (Plenipotentiary for the Reich Administration)	Dr. Frick
The GBW (Plenipotentiary for the Economy)	Funk
The Reich Minister and Chief of the Reich Chancellory	Dr. Lammers

Also:

The Reich Minister of Finances	von Schwerin von Krosigk
The Reich Minister for Food and Agriculture	Darre
Reich Minister for Enlightenment and Propaganda	Dr. Goebbels

4

H1136 - 0093

H1136 - 0094

The Prussian Minister of Finance	Dr. Popitz
Generalcolonel	Keitel
Reichsleiter	Dr. Ley
Reichsfuehrer-SS	Himmler
State Secretary	Korner
" "	Landfried
" "	Dr. Posse
" "	Dr. Syrup
" "	Kleinmann
" "	Esser
" "	Backe
" "	Neumann
" "	Stuckart
" "	Pfundtner
" "	Conti
Under State Secretary	Gen. Major von Hanneken
" " "	Gen. Major Thomas
" " "	Gen. Major Loeb
Director of Ministry	Dr. Moritz
" " "	Gramsch
Gauleiter	Terboven
Counselor of the Reich Cabinet	Dr. Willuhn

Representatives of Army and Navy superintendents.

Minutes of the meeting of the Council of Ministers for the Reich Defense, 15 November 1939.

Those present of the permanent members of the Council were:

The Chairman, General Fieldmarshall	Goering
Deputy of the Fuehrer	Hess
The GBV (Plenipotentiary for the Reich Administration)	Dr. Frick
Reich Minister and Chief of the Reich Chancellory	Dr. Lammers

9

H1136 - 0095

Also:

Reich Minister of Finance	Schwerin von Korsigk
Reich Minister for Food and Agriculture	Darre
Reich Minister for Enlightenment and Propaganda	Dr. Goebbels
The Prussian Minister of Finance	Dr. Popitz
Reichsleiter	Dr. Ley
Reichsleiter	Bouhler
Reichsfuehrer SS, Chief of German police in the Reichsministry of Interior	Himmler
The Reich Labor Service Leader	Hierl
State Secretary	Korner
" "	Neumann
" "	Pfundtner
" "	Dr. Stuckart
" "	Landfried
" "	Posse
" "	Backe
" "	Dr. Syrup
The Reich Commissioner for Price Control	Wagner
Department Chief (Ministerialdirektor)	Sommer
" " "	Gritzbach
" " "	Gramsch
" " "	Kritzinger
" " "	Mansfeld
Manager in the Ministry (Ministerialdirigent)	Best
Generalmajor	Bodenschatz
"	Thomas
Lieut. Colonel	Bohme

As well as experts (Sachbearbeiter) ofthe German Labor Front and of the Reich Labor Service . . .

The Cabinet Council for the Defense of the Reich (Ministerrat für die Reichsverteidigung) further discussed a series of questions the majority of which have been raised by reports and complaints received. Following are the essential matters concerned: Food supply for the diplomatic corps, improvement of the motor fuel supply (Betriebsstoffage) for the agriculture, fight against epidemics, improvement of the situation

5

H1136 – 0096

of people supplying themselves (Selbstversorger), measures against increased prices in restaurants, supply of fish, cultivation of agricultural soil in Poland, supply of the leather needed for shoes, war contributions (Kriegs abcaben) by municipalities and churches, municipal plannings, introduction of summer time, treatment of Polish prisoners of war, measures against the lack of care (Verwahrlesung) of the youth, treatment and guidance (Fuhrung) of the youths employed in agriculture.

The Chairman of the Cabinet Council gave detailed directives and orders on the further treatment of these questions.

. . . . . .

For the record:

SIGNED: Kritzinger
Department Chief
(Ministerialdirektor)

6

H1136 - 0097

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2852-PS

November 23, 1945.

I, GERARD SCHAEFER, 2nd Lt., 01332102, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2852-PS.

GERARD SCHAEFER,
2nd Lt.,
01332102.

P RTIAL TRANSLATION OF DOCUMENT 2957 PS
OFFICE OF U.S. CHIEF OF COUNSEL

GERMAN CIVIL SERVANTS
CALENDAR
(Deutscher Beamten-Kalender)

1940

Compiled by Chief Editor Dr. Karl Vogt

Reich Administration and Province Civil Servants Professional Associations (Fachschaften Reichsverwaltungsbeamte und Laenderbeamte)

Compiled by Chief Editor Hans-Albrecht Wiese

Civil Servants Press (BP)

EDITOR: Reich League of the German Civil Servants
(Reichsbund der Deutschen Beamten)

PUBLISHER: Civil Servants Press, Inc.
Berlin, SW 68

(Introduction signed by Frick, Reich Minister of the Interior,

(Page111, line 5-10) Then the power to issue decrees is conferred upon the chief plenipotentiary of the Reich administration, the chief plenipotentiary of economics and the chief of the high command of the German armed forces.

("board of 3", "Dreierkollegium"); the decrees of this "board of three" are issued "on the basis of lawful authorization" according to the preamble of these decrees.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2957 PS

19 November

I, PFC ERNST M. COHN, 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document No. 2957 PS.

ERNST M. COHN
PFC, 33925738

H1136 - 0098

Exhibit U.S.a. 399
Filed Dec. 18, 1945

H1136 - 0099

PARTIAL TRANSLATION OF DOCUMENT NO. 2959-PS
OFFICE OF U. S. CHIEF OF COUNSEL

New formation

of Justice and Economy
Published by C. Schaeffer, Oberlondesgerichtsrat, Ret'd

Book 141

ADMINISTRATION LAW

by

Dr. Wilhelm Stuckart
State Secretary
in the Reich Ministry
of the Interior in Berlin

Dr. Harry V. Rosen-v. Hoewel
Oberregiervngsrat in the
Reich Ministry of the Interior
Berlin

8th partly revised edition, Leipzig 1944
Publishing House W Kohlhammer Department Schaeffer

(Neugertaltung
von Recht und Wirtschaft
Heraurgegebeu von C. Schaeffer, Oberlandergerichtsrat A.D.

Heft 141

Verwaltungsrecht
von

Dr. Wilhelm Stuckart
Staatsekretion in
Reidisministerium der
Inuson Berlin

Dr. Harry v. Rosen-v. Hoewel
Oberregiervngsrat in
Reidisministerium der Inuson
Berlin

8t tuliverse umglarbeitete huflage
Leipzig 1944
Vereag W. Komlhammer - Abteilung Schaeffer)

H1136 - 0100

(Page 66 to Page 69, Line 3)

III. THE REICH MINISTERS

There are at present twenty-one Reich Ministers, namely:

I. 15 Reich Ministers with a definite portfolio.
The Ministries of the Reich Ministers mentioned under 2, 6, 7, 8, 9, 10, 11, 12 are united with the corresponding Ministries of Prussia.

1. The Reich Minister for Foreign Affairs (Foreign Office)
   (a) He handles all matters touching on the relations of the Reich to foreign countries.
   (b) Under him are the diplomatic and consulars representatives as well as the Reich office for Foreign Trade.

2. The Reich Minister of the Interior
   (a) To his portfolio belong general administration, local administration, police administration, administration of officials, public health, welfare, geodetic system, sport system and the Reich Labor Service.
   (b) Under him are the general and internal administrations, for example, the Reich Governors, the state governments (Landesregierung) the superior Presidents, and governmental Presidents, as well as police officials and the Reich Labor Service. Furthermore, there are under him numerous central intermediary boards, for example, the Reich Health Office, the Reich Archives, the Reich Genealogical Office.

3. The Reich Minister for Public Enlightenment and Propaganda.
   (a) To his portfolio belong the intellectual influences on the nation, recruiting for the state, culture and economics, and the instruction of domestic and foreign public opinion.
   (b) Under him are, among other things, the Reich Propaganda Offices and the film censorship offices. Furthermore, he exercises supervision over the Reich Chamber of Culture, the Recruiting Council of German Economics, the Reich Radio Company, and the Institute of Politics (Hochschule fuer Politik).

4. The Reich Minister of Aviation and Supreme Commander of the Air Force.
   He administers civil and military aviation.

5. The Reich Minister of Finances.
   (a) To his portfolio belong the budget and financial system of the Reich, as well as the administration of taxes, monopolies, and tariffs.
   (b) Under him are namely: the administration of taxes, and tariffs, as well as the administration of Reich monopolies.

6. The Reich Minister of Justice.
   (a) He is in charge of all matters related to the judicial system.
   (b) Under him are all judicial agencies and the Reich Patent Office.

H1136-0101

7. The Reich Ministry of Economics.
   (a) To his portfolio belong the basic economic political questions of German economy, the supply of the civilian population with goods for consumption and the regulation of their distribution, the handling of foreign economic questions in the framework of policy on foreign trade of the Reich and the supreme supervision over institutes of credit.
   (b) Under him are the Reich administration of mines, the Reich office of Statistics, the Supervisory Office for Private Insurance, the Gau Chambers of Economy, the State Economic Offices, (Landeswirtschaftsamt) the Savings Banks, and the State Insurance Offices.

8. The Reich Minister for Food and Agriculture
   (a) He is in charge of all farmers and of the agriculture, as well as the food administration.
   (b) Under him are the State Food Offices (Landesernaehrungsamt) the State Administration of Large Estates (Domaenen ver-waltung) the Administration of Rural Affairs and the Agricultural Credit Offices. Furthermore, he exercises state supervision over the Reich Food Supply of which he is the leader.

9. The Reich Minister of Labor
   (a) He is responsible for social policy.
   (b) Under him are the Reich Administration of Supply, the Reich Insurance Office for Employees, the Reich Court of Supply (Reichsversorgungsgericht), and the Reich Insurance Office.

10. The Reich Minister for Science, Training and Public Education.
   (a) To his domain belong the systems of education, instruction, and training, as well as scientific research.
   (b) Under him are the universities, the Kaiser Wilhelm Society for the Advancement of Science, the State Art Institutions, the Administration of Higher Institutes of Learning, and the Administration of Secondary Schools and Public Schools.

11. The Reich Minister for Ecclesiastical Affairs.
   He administers ecclesiastical affairs in the Reich and in Prussia.

12. The Reich Minister of Transportation.
   (a) To his portfolio belong policy on transportation and supervision of means of transportation.
   (b) Under him are the Reich Administration of Railroads, the Commissioners for Local Traffie, the Reich Office of Ocean Shipping and the Reich Commissars in the Ocean Shipping Offices.

13. The Reich Postal Minister.
   (a) He administers the postal, telephone system, telegraph, radio, money order and postal savings systems.
   (b) Under him are the Administration of the Reich Postal System, and the Reich Printing Office.

H1136-0102

14. Reich Minister for Armament and War Production.
He has to bring to a level of highest production all offices active in producing arms and munitions. Furthermore, he is responsible for the field of raw materials and production in industry and manual labor.

15. The Reich Minister for the Occupied Eastern Territories.
(a) He administers the recently occupied (i.e.former Soviet-Russian) Eastern territories, insofar as they are under civil administration and not subordinated to the Chief of Civil Administration for the District of Bialystok (cf. page 70) or insofar as they are incorporated in the General Gouvernement (c.f. page 100).
(b) Under him are the Reich Commissars, the General Commissars, Head Commissars and District Commissars, in the recently occupied Eastern territories.

II. Six Reich Ministers by virtue of Special Nomination. (without portfolio)

1. The Reich Minister and Chief of the Reich Chancellery.
2. The Reich Ministers Dr. Frick, Dr. Frank, Baron von Neurath, Hierl and Dr. Seyss-Inquart.

IV. The other highest Reich authorities.

One differentiates:

I. The highest Reich authorities with the position and jurisdiction of a Reich Minister; they distinguish themselves from the Reich Ministers only by a different designation. These are the following:
1. The Reich Master for Forestry (in hunting affairs: Reich Master of Hunters)
He handles Forestry and hunting matters.
2. The Inspector General for German highways.
He is charged with the construction of the Reichsautobahnen, and with the supervision over Reich and State highways.
3. The leader of the Party Chancellery.
The closest cooperation between the agencies of the party and the authorities of the Reich are to be guaranteed by him, especially by his participation in the formulation of drafts for laws and decren, and in the appointment of civil servants.
4. The Inspector General for Water and Power.
He is competent for the production of power, waterways and for water economy.
5. The Chief of the Supreme Command of the Armed Forces (OKW)
He works on military affairs, but is mainly a military agency.
6. The Reich Labor Leader.
The Reich Labor service (RAD) is subordinated to him.

II Highest Reich Authorities with the right to participate in cabinet meetings if their portfolio is affected.
1. The Youth Leader of the German Reich.
He is charged with the organization of youth in the entire Reich territory, and with its education in the sense of the National Socialist Idealogy.

H1136-0103

PARTIAL TRANSLATION OF DOCUMENT NO. 2959-PS
OFFICE OF U. S. CHIEF OF COUNSEL

2. The Supreme Commanders of the three branches of the Armed Forces, namely the
Supreme Commander of the Army
Supreme Commander of the Navy
Supreme Commander of the Air Force

The participation of the Supreme Commander of the Army in the cabinet meetings is at present useless, since the Fuehrer himself has taken over the Supreme Command.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2959-PS

I, Willard E. Skidmore, Lt. (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpt from Document No. 2959-PS.

Willard E. Skidmore
Lt. (jg) USNR
391590.

PARTIAL TRANSLATION OF DOCUMENT NO. 2960-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Exhibit U.S.A. 406
Filed Dec 18, 1945

Publications on the State Structure
(Schriften zum Staatsaufbau)

New series of publications of the University of Politics, Part II
Edited by von Paul Meier-Bennedkenstein

(Heft) # 41/42

Excerpt from: The Reich Ministry of Interior.
History and Structure

By Dr. Franz A. Medius

Published by Junker and Dunnhaupt
Publishers, Berlin 1940

P. 62

The work of the Reich Ministry of Interior forms the basis for the three "Nurnberg Laws" passed by a resolution of the Reichstag on the occasion of the Reich party meeting of Freedom.

The "Reich Citizenship Law" as well as the "Law for the protection of German blood and German honor (Blood Protection Law)" opened extensive tasks for the Ministry of Interior not only in the field of administration. The same applies to the "Reich Flag Law" that gives the foundation for the complete re-organization of the use of the flag . . . . .

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2960-PS

I, S/Sgt. Charles W. Bidwell, 13146954, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpt from Document No. 2960-PS.

Charles W. Bidwell,
S/Sgt,
13146954

H1136-0104

H1136-0105

PARTIAL TRANSLATION OF DOCUMENT No. 2961-PS
OFFICE OF US CHIEF OF COUNSEL

Die Führungsordnung des deutschen Volkes (Regulations for the leadership of the German People), by Hans Bernhard Brausse, Hamburg 1940, Chanseatische Verlagsanstalt).

Excerpt - from page 162

During the war the administration will suddenly be simplified and made more strict. With respect to the great abundance of Reich ministries and other highest departments of the Reich, a contraction has to take place at least in war time. Already in the year 1933 a Reichs defence council was inaugurated by the Fuehrer....

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT No. 2961-PS

19 November 1945

I, Charles E. Bidwell, S/Sgt. USA, 13146054, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document No. 2961-PS.

Charles E. Bidwell
S/Sgt. USA.
13146054

2961 PS

Exhibit U.S.a. 401
Filed Dec. 18, 1945

TRANSLATION OF DOCUMENT NO. 2964-PS
OFFICE OF U.S. CHIEF OF COUNSEL

VOELKISCHER BEOBACHTER - South German Edition

Munich, Monday 1st February 19[illegible]

Page 1, columns 1 to 3, 6 paragraphs.

MEMORIAL MEETING OF THE REICH CABINET

All the Members of the Cabinet Bearers of the Gold Party Insignia.

Early lifting of the ban on membership in the party.

Berlin, January 31.

The FUEHRER and Reich Chancellor had called the Members of the Reich Government to a ministerial discussion at the Cabinet Room of the Reich Chancellery on Saturday afternoon, which turned out to be a most impressive festivity, being the fourth anniversary of the appointment of the Hitler Cabinet by the Reich President von Hindenburg.

In warm, emotional words the Fuehrer recalled the political developments of the past years, which had taken on such historical importance as could never have been foreseen four years ago. The Fuehrer expressed his sincere thanks for the efforts of the members of his Cabinet and for their loyal collaboration, by specially pointing out the great success of the individual Ministers in their respective fields of activity.

In view of the anticipated lifting of the ban for party membership, the Fuehrer, as the first step in this regard, personally carried out the enlistment into the party of the members of the Cabinet who so far had not belonged to it, and he handed them simultaneously the Gold Party Badge, the supreme badge of honor of the Party.

In addition the Fuehrer awarded the Gold Party Badge to Generaloberst Freiherr von Fritsch, the General-Admiral Dr. h.c. Raeder, the Prussian Minister of Finance Professor Popitz and the Secretary of State and Chief of the Presidential Chancellory, Dr. Meissner. The Fuehrer also honored with the gold party badge the party members State Secretary Dr. Lammers, State Secretary Funk, State Secretary Koerner and State Secretary General of the Airforce Milch.

On behalf of the entire Reich Cabinet thereupon the ministerial president Generaloberst Goering expressed in highly emotional words to the Fuehrer the thanks of the members of the cabinet for all the grand and beautiful things which they could experience and help to creat in those past four years under the leadership of the Fuehrer. The Fuehrer may rest assured that he had in the Reich cabinet his most loyal collaborators, and that everyone of them would gladly and enthusiastically do his utmost to assist the Fuehrer with all his power in carrying out his grand and unique plans. Generaloberst Goering concluded his address expressing his best wishes for the Fuehrer's personal well-being, for his life and for his task.

H1136-0106

Reich Minister for War General Fieldmarshal v. Blomberg expressed thanks to the Fuehrer in the name of the Armed Forces for the incomparable experience of every German soldier in the past four years. The Reich Foreign Minister Freiherr v. Neurath thanked in the name of those members of the cabinet, who so far did not belong to the Party.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2964-PS

I, ERNST M. COHN, Pfc, 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2964-PS.

ERNST M. COHN,
Pfc. 33925738.

H1136-0107

TRANSLATION OF DOCUMENT NO. [illegible]
OFFICE OF U.S. CHIEF OF COUNSEL

VOELKISCHER BEOBACHTER - South German Edition

Munich, Monday 1st February 1[illegible]

Page 1, columns 1 to 3, 6 paragraphs.

MEMORIAL MEETING OF THE REICH CABINET

All the Members of the Cabinet Bearers of the Gold Party Insignia.

Early lifting of the ban on membership in the party.

Berlin, January 31.

The FUEHRER and Reich Chancellor had called the Members of the Reich Government to a ministerial discussion at the Cabinet Room of the Reich Chancellery on Saturday afternoon, which turned out to be a most impressive festivity, being the fourth anniversary of the appointment of the Hitler Cabinet by the Reich President von Hindenburg.

In warm, emotional words the Fuehrer recalled the political developments of the past years, which had taken on such historical importance as could never have been foreseen four years ago. The Fuehrer expressed his sincere thanks for the efforts of the members of his Cabinet and for their loyal collaboration, by specially pointing out the great success of the individual Ministers in their respective fields of activity.

In view of the anticipated lifting of the ban for party membership, the Fuehrer, as the first step in this regard, personally carried out the enlistment into the party of the members of the Cabinet who so far had not belonged to it, and he handed them simultaneously the Gold Party Badge, the supreme badge of honor of the Party.

In addition the Fuehrer awarded the Gold Party Badge to Generaloberst Freiherr von Fritsch, the General-Admiral Dr. h.c. Raeder, the Prussian Minister of Finance Professor Popitz and the Secretary of State and Chief of the Presidential Chancellory, Dr. Meissner. The Fuehrer also honored with the gold party badge the party members State Secretary Dr. Lammers, State Secretary Funk, State Secretary Koerner and State Secretary General of the Airforce Milch.

On behalf of the entire Reich Cabinet thereupon the ministerial president Generaloberst Goering expressed in highly emotional words to the Fuehrer the thanks of the members of the cabinet for all the grand and beautiful things which they could experience and help to creat in those past four years under the leadership of the Fuehrer. The Fuehrer may rest assured that he had in the Reich cabinet his most loyal collaborators, and that everyone of them would gladly and enthusiastically do his utmost to assist the Fuehrer with all his power in carrying out his grand and unique plans. Generaloberst Goering concluded his address expressing his best wishes for the Fuehrer's personal well-being, for his life and for his task.

H1136-0108

Reich Minister for War General Fieldmarshal v. Blomberg expressed thanks to the Fuehrer in the name of the Armed Forces for the incomparable experience of every German soldier in the past four years. The Reich Foreign Minister Freiherr v. Neurath thanked in the name of those members of the cabinet, who so far did not belong to the Party.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2964-PS

I, ERNST M. COHN, Pfc, 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2964-PS.

ERNST M. COHN,
Pfc. 33925738.

H1136-0109

H1136-0110

PARTIAL TRANSLATION OF 2970 - PS
OFFICE OF U S CHIEF OF COUNSEL

NEUGESTALTUNG VON RECHT UND WIRTSCHAFT
(New formation of Law and Economy)

Edited by C. Schaefer, Chief Counselor of the County Court, ret.
Member of the Academy for German Law

Book 13, Part 1:

Neues Staatsrecht I
(New Law of the State I)

The New Construction of the State
by
Dr. Wilhelm Stuckart and Dr. Rolf Schiedermair
State Sec'y in the Ministry of Interior, Berlin — Oberregierungsrat Ministry of Interior, Berlin

Published at Leipzig by W. Kohlehammer, dept. Schaeffer, in 1943. (17th revised and supplemented edition)

Page 138. II. The Measures for German Defense. . . .

Page 139.

B. Combining the Supreme Reich Authorities.

The task of the Council of Ministers for the Reich Defense, to achieve uniformity in administration and economy, is being facilitated by the fact that the competent Supreme Reich Authorities for the civil administration - with the exception of the economic administration - are combined under a plenipotentiary and are uniformly represented by him in the Counsel of Ministers for the Reich Defence. In the economic sphere, the Reichministry for Economics and the Reichbank also are subordinate to a plenipotentiary, and beyond this the Deputy of the 4-year Plan, who at the same time is the President of the Counsel of Ministers, heads the entire economic administration.

I. The Plenipotentiary for Reich Administration (GBV).

Reich Minister, Reichleiter D. FRICK is the GBV; his deputy is the Reichsfuehrer SS and Chief of the German Police Himmler.

1) Under the authority of the GBV are:

The Reichministry of the Interior, Reichministry of Justice, Reichsministry for Science, Education and Peoples' Training, the Reichministry for ecclesiastical affairs and the Reich Office for Geographical Allocation.

2) The GBV is empowered to issue legal decrees within his sphere in agreement with the deputy for the 4-year Plan or the Plenipotentiary for Economics and the Supreme Command of the Armed Forces. These decrees may even deviate from existing laws.

Decrees based on this authority will have the following preamble "On the basis of legal empowerment the following is decreed:"

II. The Plenipotentiary for Economics (GBW)

In the sphere of economy the Deputy of the 4-year Plan already combines the economical administration uniformly, since his authority has remained unimpeded by the creation of the Counsel of Ministersfor the Reich Defence. Therefore, as long as the powers of the deputy for the 4-year plan remain in force, a detailed regulation for the economic sphere, corresponding to the GBV, is not necessary. Here, however, the following applies:

970 PS

PARTIAL TRANSLATION OF 3970 - PS
OFFICE OF U S CHIEF OF COUNSEL

1) The task of the GBW consists in the uniform conduct of the Reich Ministry for Economics and of the Reichsbank. Like the GBV, he may issue legal decrees in agreement with the GBV and the OKW, decrees which may also deviate from existing laws. To the form of these decrees the same applies as to the decrees of the GBV. Reich Minister FUNK is GBW.

2) For the rest, the uniform conduct of economics is the affair of the deputy of the 4-year Plan. Decrees within the economic sphere are, therefore, principally issued on the basis of the powers of the deputy of the 4-year Plan, in as much as they are not matters of the Ministry of Economics and of the Reichsbank, as demonstrated under 1.

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3970 - PS

I, Ernst M. Cohn, Pfc., A. U. S. 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpt from Document No. 485.

Ernst M. Cohn
Pfc., A. U. S.
33925738

H1136-0111

Exhibit U.S.A. 409
Filed Dec. 18, 1945

H1136-0112

TRANSLATION OF DOCUMENT 2986-PS
OFFICE OF U S CHIEF OF COUNSEL

I, Wilhelm Frick, being first duly sworn, depose and say:

I was Plenipotentiary for Reich Administration (Generalbevellmaechtigter fuer die Reichsverwaltung) from the time when this office was created, until 20 August 1943. Heinrich Himmler was my deputy in this capacity. Before the outbreak of the war my task as Plenipotentiary for Reich Administration was the preparation of organization in the event of war, such as, for instance, the appointment of liaison men in the different ministries who would keep in touch with me. As Plenipotentiary for Reich Administration, I, together with the Plenipotentiary for Economy and the OKW formed what was called a "3-Man College" (Dreierkollegium). We also were members of the Reich Defense Council (Reichsverteidigungsrat), which was supposed to plan preparations and decrees in case of war which later on were published by the Ministerial Council for the Defense of the Reich. Since, as soon as the war started, everything had to be done speedily and there would have been no time for planning, such measures and decrees were prepared in advance in case of war. All one then still had to do was to pull out of the drawer the war orders that had been prepared. Later on, after the outbreak of the war, these decrees were enacted by the Ministerial Council for the defense of the Reich.

(Signed) Dr. Wilhelm Frick

Subscribed and sworn to before me this 19th day of November 1945 in Nuremberg, Germany.

(Signed) Warren F. Farr
Major, Judge Advocate General's Department
Army of the United States
Office of U.S. Chief of Counsel for Prosecution of Axis Criminality

---

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2986-PS

21 November 1945

I, WALTER E. MENKE, Civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2986-PS, as corrected.

WALTER E. MENKE
Civilian

2986 PS

Exhibit U.S.A. 391
Filed Dec. 18, 1945

H1136-0113

TRANSLATION OF DOCUMENT 2999-PS
OFFICE OF U.S. CHIEF OF COUNSEL

I, Hans Heinrich Lammers, being first duly sworn, depose and say:

I was Leader of the Reich Chancellery (Leiter der Reichskanzlei) from 30 January 1933 until the end of the war. In this capacity I circulated drafts of proposed laws and decrees submitted to me by the Minister who had drafted the law or decree, to all members of the Reich Cabinet. A period of time was allowed for objections, after which the law considered as being accepted by the various members of the Cabinet. This procedure continued throughout the whole war. It was followed also in the Council of Ministers for the Defense of the Reich (Ministerrat fur due Reichsverteidigung).

Dr. Lammers (Signed)
Hans Heinrich Lammers

Subscribed and sworn to before me this 22nd day of November 1945, in Nurnberg, Germany.

Thomas S. Hinkel (Signed)
Lt. Col., IGD.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2999-PS

24 November 1945.

I, Dr. O. J. Brandes, civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2999-PS.

DR. O. J. BRANDES,
XO46166.

2999 PS

Exhibit U.S.a. 390
Filed Dec. 18, 1945

H1136-0114

TRANSLATION OF DOCUMENT EC 177
OFFICE OF U S CHIEF OF COUNSEL

TOP SECRET

The Reichswehr Minister — Berlin, 22 May 1933

T.A. Nr. 421/33 g. Kdos. T 2 III A:

40 Copies
10th Copy

P R O T O C O L

Of the 2nd Session of the Working Committee of the Delegates for Reich Defense.

Time: 26 April 1933 — Start: 1000 hours
End : 1230 hours

Place: Large Conference Room in Reichswehr Ministry.

Participants:

Reichswehr Ministry:	
Dept. of the Field Army (Truppenamt):	Chief Lt. Gen. Adam
T 2	Chief Col. Keitel
	Capt. Schmundt
	Capt. Prueter
T 2 Administration	Min. Rat. Dr. Weber
T 1 IV	Major Gercke (ret)
Dept. of Air Raid Protection:	Capt. Speidel
Dept. of the Res. Tng. and Repl. Army (Wehramt):	
Chief of Staff	Lt. Col. Winzer
In 6 " " "	Lt. Col. Guderian
In 7 " " "	Lt. Col. Fellgiebel
Ordnance Dept. (Waffenamt):	Lt. Col. Stud
Wa. Wi.	Major Warlimont
Administrative Dept.: (V3)	Min. Rat. Reich
Ministry Office:	
W.	Col. von Vietinghoff
	Capt. Tschache
Security.	Capt. Wahle
Delegates for Reich Defense from the Reich Ministries:	
Foreign Office:	Legation Secretary von Buelow
Interior:	Ob. Reg. Rat. Erbe
Finance:	Gen. Finanzrat Wapenhensch
Economics:	Min. Rat Godlewski
	Reg. Rat Dr. Barth
Labor:	Min. Rat Sieler
Postal:	Min. Rat Delvendahl
Traffic:	Min. Rat Koffka
Justice:	Min. Rat Koffka

EC-177

Food and Agriculture:	Amtsgerichtsrat Bretschneider
Air:	Capt. Bolle (ret)
Prussian Ministry of the Interior:	Ob. Reg. Rat Diels

Minutes:

Lt. Gen. Adam: Welcoming of the delegates especially of the representative of the Air Ministry present for the first time.

Information about the decision of the Reich Cabinet of the 4 April 1933 to form a "Reich Defense Council."

Reference to:

a. Change of the responsibility for the defense of the Reich.

b. The decision to make the activities of the delegates a full-time job, and the necessity for this measure order to master the important and extensive tasks.

With a wish for trustful cooperation in the working committee of the RVR (Reich Defense Council) transfer of the presidency to Col. Keitel (Chief T 2).

Col. Keitel: After welcoming takes up business of the day.

Item 1

Thoughts about a Reich Defense Council

All great European powers which are at freedom to arm, have a RVR. One does not have to refer to history to prove the necessity of this institution. The war has shown conclusively that the cooperation with the various ministries has not been close enough. The consequences did not fail to materialize. The soldier is not in a position to have a say in all matters. The disadvantages of the past system were caused by parallel efforts of the various ministries in matters of the Reich defense. To avoid these mistakes a central agency has been created which occupies itself already in peacetime in the widest sense with the problems of Reich Defense. This working staff will continue its existence in time of war.

In accordance with the cabinet decision of the 4 April 1933 the Reich Defense Council, which until now had been prepared for war emergency, will go into immediate action.

In time of peace its task will be to decide about all measures for the preparation of the defense of the Reich, while surveying and utilizing all powers and means of the nation. To this effect a law placing every German and his personal property at the war service of the nation (Kriegsleistungsgesetz) is being prepared which will be submitted to the committee after its completion.

H1136-0115

H1136-0116

Composition of the Reich Defense Council:

President: Reichs Chancellor Deputy: Reichswehr Minister

Permanent Members: Minister of the:

Reichswehr
Foreign Affairs
Interior
Finance
Economic Affairs
Public Enlightenment and Propaganda
Air
Chief of the Army Command Staff
Chief of the Navy Command Staff

Depending on the case: The remaining ministers, other personalities, e.g., leading industrialists, etc.

In order to regulate the work it is necessary to determine who will do the drafting of the various tasks and in what manner. The Reich ministries will receive instructions in this regard from the Reichswehr Minister.

Item 2

Full-time Employment of the Delegates:

Whether the full-time employment of delegates for the Reich Defense Council necessitates changes of personnel within the permanent committee will have to be decided by the ministries concerned. It is requested to settle this matter with the various ministries and to inform the Reichswehrminister which full-time delegate is slated for the working committee.

Ob. Reg. Rat Erbe (Interior): The solution of this question is rendered more difficult by the fact that each of the delegates has already a large field of work, to which he is deeply attached and which he will part with unwillingly.

Ob. Reg. Rat Diels (Prussian Ministry of the Interior): Is of the same opinion. He himself is, in addition, in charge of the Secret State Police. Remedy: Full time assistants.

Min. Rat Godlewski (Economics): Recommends the solution of the Reich Ministry of Economics: The delegate keeps his own field of work with addition of the Reich Defense tasks, which are handled by a special official (at present Reg. Rat Dr. Barth) exclusively and as a full time job. This way a higher official retains the direction, without being overburdened with the work.

Lt. Gen. Adam: Agrees with the opinion of Min. Rat Godlewski and proposes a similar solution for the other Reich Ministries.

Amtsgerichtsrat Bretschneider (Food and Agriculture): Does not believe that the Ministry of Food and Agriculture will be able to send a special delegate in view of the general overload with work.

Col. Keitel: The amount of work of the Reich Ministry of Food and Agriculture will not decrease. Food supply, however, is of the utmost importance in case of mobilization, so that an intensive cooperation on the part of this ministry is absolutely essential.

H1136-0117

Min. Rat Schmidt (Traffic): At the Traffic Ministry hardly any higher officials can be made available for this full time task. A good deal of the work in the realm of the Reich Defense could be done by the H.T.K.

Lt. Gen. Adam: The tasks will be distributed and it is a matter of the various ministries to take care of same. Best solution: Higher Official with full time assistants.

Col. Keitel: Points out once more the urgency of the tasks, since it had been possible to do only very little in this connection during the last years. He asks the delegates to consider the Reich Defense at all times and represent it accordingly at the drafting of new laws. Experiences of the wars are available and are at the disposal of the various ministries: (e.g. Reich Archives, Memorandum of an administrative official about gasoline supply). All these sources must be taken advantage of for the future. The task of the full time delegates is also to bring about a close cooperation of the ministries with each other.

Min. Rat Schmidt (Traffic): Requests a complete roster of the committee members.

Col. Keitel: Agrees to that, as soon as the ministries have named their full-time delegates.

Item 3

Nature of Work Plans

In the work plans the questions and ideas are laid down, which have come up in the Reichswehr Ministry and must be considered in case of mobilization. Up to the present time the support on the part of other ministries was frequently based only on personal helpfulness since any authority from above was lacking. The following work plans are finished:

a. Work Plan for the Reichs Ministry of Economics
" " " " " " Food and Agriculture
" " " " " " Labor

These three are composed in one work plan for the preparation of a war economy.

b. Work Plan for the Reich Postal Ministry.

c. Work Plan for the Reich Traffic Ministry.

Request the plans to be worked through carefully by the competent ministries. The plans will be discussed beginning of June, when proposals for improvements may be made. The other ministries which have no work plans yet will receive them later on. The office of air raid protection will work out a work plan in conjunction with the Reich Commissariat for aviation.

Min. Rat Godlewski (Ministry of Economics):

1. In case a completed plan for mobilization is to be created a preparation of requisition orders for the supply of raw

H1136-0118

materials, creating of war industries and getting in touch with personalities to be charged with these tasks in case of war, is necessary. All this means years of work.

2. What about the financial aspects of this work? Naturally, large sums will be required for it, with which the ministry concerned will be debited. To what extent can this be carried out in practice and to what extent will it remain only paper work once more?

Col. Keitel: Certainly, the working out of these plans requires a long time. The Reichswehr Ministry has worked for years on the principles of Reich Defense, too. The organization of a war economy always requires plenty of money and time. It is just the reason for and the purpose of the working committee of the Reich Defense Council to overcome these difficulties. Proposals and inquiries of the various Reich ministries must be made the subjects of sessions of the Reich Defense Council (Cabinet) by the working committee. It is to be decided there, which tasks have priorities over others and for which purposes means have to be available. Nevertheless, the financing of the various proposals remains a matter of the ministry concerned. The direct influence of the Reich Chancellor on these tasks represents, however, a great progress compared with past times. The various ministries have to submit yearly budget proposals, which are to be approved separately.

Min. Rat Delvendahl (Postal Ministry): Sees an acceleration of the tasks in a direct cooperation with the Wehrmacht experts. Which is the competent agency for that in the Reichswehr Ministry?

Col. Keitel: The Army Organization Department is competent only for the great guiding principles. Technical matters are to be settled with the special offices of the Reichswehr Ministry. Inquiries regarding the specialists are to be addressed to the secretary of the Reich Defense Council, Capt. Schmundt.

Min. Rat Delvendahl (Postal Ministry): Who is competent in questions of general nature?

Col. Keitel: Can be decided only from case to case.

Item 4

Security and Secrecy

Question has been brought up by the Reich Ministries.

The secrecy of all Reich Defense work has to be maintained very carefully. Communications with the outside by messenger service only. Has been settled already with the Post Office, Finance Ministry, Prussian Ministry of the Interior and the Reichswehr Ministry. Main Principle of security: No document must be lost since, otherwise, the enemy propaganda would make use of it. Matters communicated orally cannot be proven, they can be denied by us in Geneva. Therefore, the Reichswehr Ministry has worked out security directives for the Reich Ministries and the Prussian Ministry of the Interior.

Reading of the Security directives (Rn. M.T.A. Nr. 285/33 g.K. T 2 III A dated 19 April 33), by Capt. Schmundt.

Col. Keitel: Under no circumstances communications by mail.

H1136-0119

Min. Rat. Delvendahl (Postal Ministry): Secret but urgent letters can be mailed in locked leather cases wrapped in special envelope. He asks for a moderation of the dispatching directives.

Col. Keitel: The main thing is that the mail in the various ministries is opened by the addressee himself and not by the main office or another agency. It is of utmost importance that ways and means are provided to guarantee an absolutely safe transportation.

Min. Rat Koffka (Ministry of Justice): It is most dangerous to mark the outside of the letters "Secret". Incidentally, up to the present time there is no real protection furnished in the Ministry of Justice. Only one steel safe is available.

Col Keitel: The need for steel safes grows only slowly. The Reichswehr Ministry has spent a lot of money to obtain a sufficient number of steel safes for itself and the branch offices. Steel safes remain, nevertheless, an urgent requirement. Letters are to be addressed to the recipient personally.

Gen. Finanzrat Wapenhensch (Finance Ministry): If letters pertaining to Reich Defense can be written in such a way that in case of loss their contents cannot be recognized as mobilization measures by enemy news services, express matters must be dispatched by mail.

Col. Keitel: The purpose of the directive is not to represent clear unequivocal instructions for all cases, but to point out inherent dangers in case of leakage. Have to be decided separately in every case. Proposals about this matter in June. The purpose, not the form decides.

Item 5

Leaves of absence resp. releases from duty for the purpose of participation in training measures outside the Wehrmacht.

Notices pertaining to this subject have been sent to Ministries already. Reich Cabinet has decided to grant leaves of absence to officials in the services of the Reich, etc., without deducting that time from their recreational leaves. The Reich authorities in the Reich will be informed by the Wehrkreiskommandos. I request the Russian Ministry of the Interior to state whether this measure is to be in effect in its sphere, as well.

Ob. Reg. Rat Diels (Pr. Min. of the Int.): Agrees for Prussia.

Min. Rat Schmidt (Traffic): For the RR officials etc. this will be settled by the H.T.K. The authorities will be informed orally, but how is one to go about the instruction of the laborers. 27,000 workmen at the administration of waterways construction alone? Does that not invite abuses? What about secrecy in that case?

Col. Keitel: Only the authorities are to be informed. The men will be advised by the Wehrmacht agencies themselves. The men volunteer since they are mostly in reserve units. During the training

a. Security
b. Regulation of leaves of absence.

will be explained. Unfortunately, the announcement of a leave will

H1136-0120

schedule is not possible. The Ministries need not worry about the orientation of the men. What matters is that the superiors authorized to grant leaves are informed accordingly in advance.

Item 6

Storage of Weapons

a. Renting of state owned lands (e.g. State Forestry areas) must be accomplished without cost.

b. The Finance Ministry has set up a "re-enforced border control service." The value of this organization lies in the distribution of personnel among the customs sectors - equal to border protection sectors. Exchange of personnel rosters between the customs etc., authorities and the Wehrkreise is in effect already. The peace-time maneuvers of the re-enforced border control service are of great importance.

c. Storage of weapons near the location where they will be needed. Unfortunately weapon stores are not always secret any more (Czech newspaper). Secrecy must be maintained to a much greater extent, appeal to, the assembled gentlemen.

d. Request to the postal authorities: Protection of Reich mail service to be prepared for the event of mobilization (at present available only in case of domestic disorders). The border protection maneuvers in Breslau have disclosed many deficiencies in communications in case of a Polish invasion of Upper Silesia. Police is not to be made available for such purposes. What has been the mission of the Landsturm in days past will have to be carried out by organizations created by the Reich Ministries themselves.

e. Consideration of the interests of Reich Defense when drafting new laws. (Examples: Construction Industry, electrification of railways). Cooperation by the Ministries is requested. Considerations of thrift alone must not be the determining factor. The interests of Reich Defense must not be forgotten for one moment.

Min. Rat Delvendahl (Postal Ministry): Asks for the text of t the cabinet resolution with regard to the Reich Defense Council.

Capt. Tschache (Ministry Office): Reads it.

Col. Keitel: Promises each of the ministries a copy of the decree of the cabinet resolution. A discussion of the work plans in separate sessions is planned for the beginning of June.

Ob. Reg. Diels (Prussian Min. of Int.): Asks the council to deal directly with the Gestapo Department with regard to Reich Defense problems, since furnishes the best guarantee for the secrecy of the problems and tasks and because that office is anyway the competent agency in the Pr. Min. of the Int. to deal with the district registration offices, Control agencies, border protection, etc.

sgd. Keitel

Distribution:
See list of participants in the first part of the document.

- - - - - - - - -

H1136-0121

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. EC 177

20 November 1945

I, BERT STEIN, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. EC 177.

EDGAR BODENHEIMER.

M I N U T E S

of the 12th Meeting of the Reichs Defense Council

Time: 14 May 1936 Begin: 10:00 o'clock

Place: Grand Conference Room of National Ministry of War End: 14:00 o'clock

(Secret business of the Command)

1.) The National Minister of War and Supreme Commander of the Armed Forces, General Field Marshal von Blomberg, opened the 12th meeting of the Reichs Defense Council by expressing thanks for the work accomplished and pointing out in principle the necessity of a preparation for a total mobilization with emphasis on the most important measures to be taken at this time. (Among others: mobilization schedule, legal basis, preparations in the remilitarized zone). He further indicates the assignment of the national resources (Reichsressort) to finance its measures for preparation of the Reichs defense out of its budget.

2.) The chairman of the Reichs Defense Council, Lieutenant General Keitel, states:

In todays and future meetings of the Reichs Defense Council a cross section of the general situation concerning all matters of the national defense is presented. The picture of the situation does not appear in the reports of the meetings. The open discussion of State secrets before our large council gives the special obligation to the chairman of the Reichs Defense Council of pointing out its secrecy.

Todays session takes place under the auspices of the restoration of the State authority in the demilitarized zone.

The difficulties of the economic situation, which are presented today, must be mastered.

3.) The serious raw material and foreign exchange situation has led to the special mandate given to the Prussian Ministerpresident Goering by the Fuehrer and Reichschancellor of which the Reichs resources were notified. In order to strengthen the connection between the Prussian Ministerpresident and the Reichs Defense Council, one more representative for the raw material and foreign exchange matters, besides the official national defense council representatives of the Prussian Ministerpresident, is appointed as a permanent member to the Reichs Defense Council according to a cabinet resolution of April 4, 1933: Lieutenant Colonel L o e b of the National Air Ministry.

4.) The following changes took place in the Reichs Defense Council.

H1136-0122

H1136-0123

The chairman welcomes as new members these representatives of the National Office for Regional Planning: Director Bloecker (not present) and Dr. Schopers.

Replaces were:
in the National Ministry of Finance Geheimrat Wapenhensch by Ministerial Director Dr. Mitze
in the Postal Ministry Postal Director Timme by Ministerial Director Schroeder
in the Ministry of Transportation Ministerial Counsel Schmidt by Ober Regierungs - and Baurat Pigge.

The chairman welcomes the new co-workers and expresses his gratitude to the gentlemen who have resigned for their valuable work in the Reichs Defense Council.

To Ober Regierungsrat Dr. Barth who left the executive staff of the plenipotentiary and the mobilization staff of the Ministry for Economics, and who was one of the first and most active fellow-workers in preparing the economic mobilization, the chairman gives the special thanks of the Reichs Defense Council.

About the present situation reports for the uniform preparation for the national defense are presented under special consideration of the experiences from the occupation of the demilitarized zone:

1.) by Secretary of the Legation von Buelow (Foreign Office) about the foreign policy situation.

The chairman gives the order to procure documents about Italy's measures against the sanctions to solve also our difficult problems concerning the armament economy and the demobilization. A study of war economy is suggested in view of various foreign policy situations.

2.) By Major von Wrochem (National Ministry of Public Enlightenment and Propaganda) about the propaganda policy situation at home and abroad.

The chairman points out the importance of propaganda as a weapon.

3.) By Colonel Jodl (W A (L)) about the military policy situation.

The war of today is composed of many steps. The experiences during the tension period in March led to the recognition that in the Mobilization Book for the civil administration an arrangement to (3) periods of strain is unsuitable for preparatory measures; it will be abandoned. The measures to be taken in the "X" case and in the Mobilization case are combined in one chapter because they are almost the same. In part I of the Mobilization Book directives for this are drawn up. Its new edition and the directives for the mobilization schedule of the civil administration by the National Ministry of War is to be expected during the next quarter.

Explained are "Blockade Organization" and "Frontier Guard", changed inclusive Reichs defense measures, the details of which will be sent to the participating departments of the National Ministry of War. The participating civilian departments will

EC 407 (contd.)

H1136-0124

not be burdened to any great extent with new tasks and costs. The chairman points out that the new construction of the armed forces makes possible improvements in the preparation which will be effective beginning in the mobilization year 1937.

4.) By Colonel Thomas (W A (W STb)) about the military economic situation.

The improvement of our military economic situation which is dependent on foreign countries in the task of the economic policy, to be influenced by the military economy, and a foreign policy which assures itself of economically strong allies.

5.) By Ministerial Director Wohltat (executive statt plenipotentiary) about the condition in the field of food, trade - and industrial economy, raw materials and foreign exchange.

To maintain the armament and food self-sufficiency, further increases in production and the most vigorous savings measures are necessary immediately, a demand, which has led to the special mandate of the Prussian Ministerpresident Goering. The chairman states comprehensively:

Through the occupation of the demilitarized zone, the military economic situation has improved. In relation with foreign countries the power of the Reich became stronger.

According to the last two lectures, we face a difficult situation in the National economy. To overcome them Ministerpresident Goering has given more detailed explanations at the beginning of this week. Three demands must remain:

a) the demand for armament depending upon the full capacity of our economic power. The Fuehrer wants no delay for this urgent task.

b) to maintain the productive capacity of our industry and agriculture avoiding the discharge of workers.

c) to maintain the food self-sufficiency of the people: a good harvest can be honed for.

The progress in the production of substitutes, for instance in fodder, rubber, fuel, are still a live insurance for the people and the armed forces. With keeping this in mind their often uneconomically high costs have to be judged.

CERTIFICATE OF TRANSLATION
OF DOCUMENT EC-407

19 November 1945

I, HENRY JACOB, Civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the first ten pages of Document EC-407.

HENRY JACOB

Exhibit U.S.A. 403
Filed Dec 18, 1945

H1136-0125

LAWS AND DECREES

D 138

TRANSLATION OF DOCUMENT D-138
OFFICE OF U. S. CHIEF OF COUNSEL

Translation in full of decree signed by HITLER, dated 27 July 1934, giving powers to HESS on law-giving.

TRANSLATION

COPY

Beyreuth, 27 July 1934

The Reich Chancellor.

Rk. 6798

To the Reich Ministers.

I decree that the Deputy of the Führer, Reich Minister HESS, will have the capacity of a participating Reich Minister in connection with the preparation of drafts for laws in all Reich administrative spheres.[1] All legislative work is to be sent to him when it is received by the other Reich Minister concerned. This also applies in cases where no one else participates except the Reich Minister making the draft. Reich Minister HESS will be given the opportunity to comment on drafts suggested by experts. (lit. "REFERENTENENTWURFEN").

This order will apply in the same sense to legislative ordinances. The Deputy of the Führer in his capacity of Reich Minister can send as representative an expert on his staff. These experts are entitled to make statements to the Reich Ministers on his behalf.

(Sgd) Adolf HITLER.

Translator's note: - 1. Lit. "Reichsressorts"

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. D-138

I, PAUL W. FREEDMAN, S/Sgt, 33799122, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. D-138.

PAUL W. FREEDMAN
S/Sgt
33799122

H1136-0126

TRANSLATION OF DOCUMENT 1395
Office of U.S. Chief of Counsel

1395 PS

1933 Reichsgesetzblatt Page 1016
1 Dec 1933

Law on securing the unity of Party and State
1 Dec. 1933.

Gesetz zur Gicherung der Ginheit von Partei und Staat, Vom 1 Dezember 1933.

The Reichs government has decided on the following law which is announced herewith:

Art 1

1) After the victory of the National Socialistic Revolution, the National Socialistic German Labor Party is the bearer of the concept of the German State and is inseperably the state.
2) It will be a part of the public law. Its organization will be determined by the Fuehrer.

Art 2.

The deputy of the Fuehrer and the Chief of Staff of the SA will become members of the Reichs government in order to insure close cooperation of the offices of the party and SA with the public authorities.

Art.3

The members of the National Socialistic German Labor Party and the SA(including their subordinate organizations.) as the leading and driving force of the National Socialist State will bear greater responsibility toward Fuehrer, people and state.
2) In case they violate these duties, they will be subject to special jurisdiction by party and state.
3) The Fuehrer may extend these regulations in order to include members of other organizations.

Art 4.

Every action or neglect on the part of members of the SA(including their subordinate organizations) attacking or endangering the existence, organization, activity or reputation of the National Socialistic German Labor Party, in particular any infraction against dissipline and order, will be regarded as a violation of duty.

Art 5.

Custody and arrest may be inflicted in addition to the usual penalties.

Art 6.

The public authorities have to grant legal and administrative assistance to the offices of the Party and the SA which are entrusted with the execution of the jurisdiction of the Party and SA.

Art. 7

The law regarding the authority to inflict penalties on members of the SA and SS, of the 28 April 1933(RGBI p. 230) will be invalidated.

Art. 8

The Reichs Chancellor, as Fuehrer of the National Socialistic German Labor Party and as the supreme commander of SA will issue the regulation necessary for the execution and augmentation of this law, particularly with reppect to the organization and procedure

H1136-0127

TRANSLATION OF DOCUMENT 1395-PS
Office of U.S. Chief of Counsel
Contd.

of the jurisdiction of the Party and SA. He will determine the time at which the regulations concerning this jurisdiction will be effective.

Berlin 1 Dec. 1933

Reichs Chancellor

Adolf Hitler

The Reichs Minister of the Interior

Frick.

- -

5 October 1945.

I, WILLARD EVANS SKIDMORE, Lt(jg) USNR, 391590 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1395-PS.

WILLARD EVANS SKIDMORE
Lt(jg) USNR
391590.

H1136-0128

TRANSLATION OF DOCUMENT NO. 1862-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1862 PS

1936 REICHSGESETZBLATT, PART I, PAGE 887

Ordinance for the Execution of the Four Year Plan
of 18 October 1936.

Verordnung zur Durchfuehrung des Vierjahresplan.
Vom 18. Oktober 1936.

The realization of the new Four Year Plan - announced by me at the Party Congress of Honor - requires homogeneous leadership of all forces in the German nation and the strict coordination of all competent authorities in Party and State.

The execution of the Four Year Plan I intrust to Minister-President General GOERING.

Minister-President General GOERING shall take all steps necessary for the execution of the task put before him; he is authorized to issue decrees of ordinances and general administrative directives. He is empowered to receive reports from all governmental agencies, including the highest agencies of the Reich and from all Party offices, their departments and attached organizations - and issue orders to them.

Berchtesgaden, 18 Oct 36

The Fuehrer and Chancellor of the Reich
Adolf Hitler

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1862-PS

14 September 1945

I, WILLARD EVANS SKIDMORE, Lt (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English, French and German languages and that the above is a true and correct translation of Document No. 1862-PS

WILLARD EVANS SKIDMORE
Lt (jg) USNR
391590

TRANSLATION OF DOCUMENT 1915-PS
OFFICE OF US CHIEF OF COUNSEL

1915 PS

1938 REICHSGESETZBLATT, PART I, PAGE 111

Decree concerning the leadership of the Armed Forces

4 February 1938

Erlass über die Führung der Wehrmacht

vom 4 Februar 1938

From now on, I take over directly the command of the whole Armed Forces.

The former Armed Forces department in the Reichs War Ministry will come directly under my command with all its tasks which it fulfilled under the jurisdiction of the "supreme command of the Army" and my military staff.

At the head of the staff of the supreme command of the Armed Forces is the former Chief of the Armed Forces department as "Chief of the supreme command of the Armed Forces". He is equal in rank to a Reichs Minister.

At the same time, the supreme command takes the responsibility for the affairs of the Reichs Ministry of War, and by my order, the chief of the supreme command of the Armed Forces exercises the authority formerly belonging to the Reichs Minister.

It is the supreme command of the Armed Forces' duty to carry out in peace time in accordance with my instructions, the preparation of the defense system of the Reich.

Berlin 4 February 1938

The Fuehrer and Reichs Chancellor
Adolph Hitler
The Reichs Minister and Chief of the
Reichs Chancellory Dr Lammers
The Chief of the Supreme Command of the
Armed Forces Keitel

- - - - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1915-PS

11 October 1945

I, FRED NIEBERGALL, 2nd Lt, Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 1915-PS.

FRED NIEBERGALL
2nd Lt, Inf.
O-1335567

H1136-0129

H1136-0130

TRANSLATION OF DOCUMENT 2001-PS
OFFICE OF U S CHIEF COUNSEL

2001 PS

Reichsgesetzblatt, Part I, Page 141

Law to remove the distress of people and State of
24 March 1933

Gesetz zur Behebung der Not von Volk und Reich vom
24.Maerz 1933

The Reich-Parliament has resolved upon the following law which is promulgated herewith with approval of the Reich-Council after it has been established that all the requirements of legislation for changing the constitution have been complied with.

Section 1

Laws for the Reich can be resolved upon also by the Reich-Government besides the procedure provided by the constitution of the Reich. This also applies to the laws pursuant to sections 85 sub-section 2 and 87 of the Reich-Constitution.

Section 2

The laws for the Reich resolved upon by the Reich-Government may deviate from the Reich-Constitution insofar as they do not deal with the institution of the Reich-Parliament or the Reich-Council as such. The powers of the Reich-President will remain intact.

Section 3

The laws for the Reich resolved upon by the Reich-Government are issued by the Reich-Chancellor and promulgated in the Reichsgesetzblatt. They will become effective, insofar as they don't determine otherwise on the day following their promulgation. Section 68 to 77 of the Reich-Constitution are not applicable to the laws resolved upon by the Reich-Government.

Section 4

Treaties of the Reich with foreign countries relating to matters of the legislation of the Reich do not require the approval of the bodies participating in the legislation. The Reich-Government issues the rules necessary for the execution of such treaties.

Section 5

This law will become effective on the day of its promulgation. It becomes ineffective on 1. April 1937. Moreover it becomes ineffective if the present

Reich-Government should be replaced by another.

Berlin, 24 March 1933

The Reich-President
von Hindenburg

The Reich-Chancellor
Adolf Hitler

The Reich-Minister for the Interior
Frick

The Reich-Minister for Foreign Affairs
Freiherr von Neurath

The Reich-Minister for Finances
Count Schwerin von Krosigk

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2001-PS — 12 November 1945

I, Fred Niebergall, 2nd Lt. Inf. 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2001-PS

Fred Niebergall
2nd Lt.Inf.
0-1335567

H1136-0131

OFFICE OF U.S. CHIEF OF COUNSEL

H1136-0132

1934 REICHSGESETZBLATT, PART I, PAGE 747

Law re the Sovereign Head of the German Reich
1 August 1934

Gesetz über das Staatsoberhaupt des Deutschen Reichs
Vom. 1 August 1934

The Reich Government has enacted the following law which is hereby promulgated:

Section 1.

The office of the Reichspräsident will be consolidated with that of the Reich Chancellor. The existing authority of the Reichspräsident shall consequently be transferred to the Führer and Reich Chancellor, Adolph Hitler. He shall select his representative.

Section 2.

This law is effective as of the time of the death of Reichspräsident von Hindenburg.

The Reich Chancellor
Adolf Hitler

The Reich Deputy Chancellor
von Papen

The Reich Minister of Foreign Affairs
Freiherr von Neurath

The Reich Minister of Interior
Frick

The Reich Minister of Finance
Graf Schwerin von Krosigt

The Reich Minister of Labor
Franz Seldte

The Reich Minister of Justice
Dr. Gürtner

The Reich Minister for Defense
von Blomberg

The Reich Postal Minister and
Transportation Minister
Freiherr von Eltz

The Reich Minister for Nutrition and
Agriculture
R. Walther Darre

The Reich Minister for Enlightenment
and Propaganda
Dr. Goebbels

The Reich Minister for Air Travel
Hermann Goering

The Reich Minister for Science,
Training, and Education
Bernhard Rust

The Reich Minister without Portfolio
Rudolf Hess

The Reich Minister without Portfolio
Hanns Kerrl

.....

- - - - - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2003-PS

31 November 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a correct and true translation of Document No. 2003-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

2003 PS

TRANSLATION OF DOCUMENT 2006-PS
OFFICE OF U S CHIEF OF COUNSEL

H1136-0133

2006 PS

1934 REICHSGESETZBLATT, PART I, PAGE 75

Law for the Reconstruction of the Reich
30 January 1934

Gesetz über den Neuaufbau des Reichs
Vom. 30 Januar 1934.

The popular referendum and the Reichstag election of November 12, 1933 have proven that the German people have attained an indestructible internal **unity** ("unlöslichen inneren Einheit") superior to all internal sub-divisions of political character.

Consequently, the Reichstag has enacted the following law which is hereby promulgated with the unanimous vote of the Reichstag after ascertaining that the requirements of the Reich Constitution have been met:

ARTICLE I

Popular assemblies ("Volksvertretungen") of the "Länder" shall be abolished.

ARTICLE II

(1) The sovereign powers ("Hoheitsrechte") of the "Länder" are transferred to the Reich.

(2) The "Länder" governments are placed under the Reich government.

ARTICLE III

The Reich governors are placed under the administrative supervision of the Reich Minister of Interior.

ARTICLE IV

The Reich Government may issue new constitutional laws.

ARTICLE V

The Reich Minister of Interior may administer the necessary legal and administrative regulations for the executions of the law.

ARTICLE VI

This law shall be effective on the day of its promulgation.

Berlin, 30 January 1934.

The Reich President
von Hindenburg

The Reich Chancellor
Adolf Hitler

The Reich Minister of the Interior
Frick

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2006-PS

31 October 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2006-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

TRANSLATION OF DOCUMENT 2018-PS
OFFICE OF U. S. CHIEF OF COUNSEL

2018 PS

1939 REICHSGESETZBLATT, PART I, PAGE 1539

Führer's Decree Establishing a Ministerial Council For Reich Defense

30 August 1939

"Erlass des Führers über die Bildung eines Ministerrats für die Reichsverteidigung"
vom 30 August 1939

For the period of the present foreign political tension, I decree the following for the uniform leadership of administration and economy:

I

(1) A Ministerial Council for Reich Defense shall be established as a standing committee out of the Reich Defense Council.

(2) The standing members of the Ministerial Council for Reich Defense shall include: General Field Marshall Goering as chairman, Führer's Deputy, Commissioner General for Reich Administration, Commissioner General for the Economy, Reich Minister and Chief of the Reich Chancellory, Chief of the High Command for the Armed Forces.

(3) The chairman may draw on other members of the Reich Defense Council including further personalities for advice.

II

The Ministerial Council for Reich Defense may issue decrees with statutory effect, in so far as I have not provided for the passing of a law by the Reich Government or the Reichstag.

III

The authority of General Field Marshall Goering under the Decree for the Administration of the Four-Year Plan of October 13, 1936 (RGBl. I 887) including his power to issue instructions shall remain unaffected.

IV

The Reich Minister and Chief of the Reich Chancellory shall supervise the business of the Ministerial Council for Reich Defense.

V

I shall determine the period for the expiration date of this decree.

Berlin, 30 August 1939.

The Führer
Adolf Hitler

Göring
General Field Marshall

The Reichs Minister and Chief of the Reichs Chancellory.
Dr. Lammers.

H1136-0134

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2018-P S.

FRED NIEBERGALL,
2nd Lt., Inf.,
O-1335567.

H1136-0135

H1136-0136

TRANSLATION OF DOCUMENT 2029-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 104

Decree Establishing The Reich Minister
of Public Enlightenment and
Propaganda
of 13 March 1933

Erlass über die Errichtung des
Reichsministeriums Für Volksaufflärung
und Propaganda
vom 13. März 1933

2029 PS

A Ministry of Public Enlightenment and Propaganda is herewith established for the purpose of enlightening and propagandizing the population with regard to the policies of the Reich Cabinet and the national reconstruction of the German fatherland.

The chief of this agency has the title"Reichsminister of Public Enlightenment and Propaganda.

The Reichschancellor defines in detail the duties of the Reich Minister for Public Enlightenment and Propaganda.

In agreement with the other Reich Ministers concerned, he defines the duties which are transferred from their jurisdiction to that of the new Ministry. This will be done even in cases where the jurisdiction of the Ministries concerned is affected fundamentally.

Berlin, March 13, 1933

The Reich President VON HINDENBURG

The Reich Chancellor ADOLF HITLER

- - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2029-PS

19 October 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2029-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1136-0137

TRANSLATION OF DOCUMENT 2030-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 449

Decree Concerning the Duties of the Reich Ministry for Public Enlightenment and Propaganda of 30 June 1933

Verordnung über die Aufgaben des Reichsministeriums für Volksaufklärung und vom 30. Juni 1933

2030 PS

Based upon the order of the Reich President of 13 March 1933 (Reichsgesetzblatt I, Page 104), I decree in agreement with the Reich Minister of Foreign Affairs, the Reich Minister of the Interior, the Reich Minister of Economics, the Reich Minister of Nutrition and Agriculture, the Reich Postminister, the Reich Minister of Transportation, and the Reich Minister of Public Enlightenment and Propaganda, as follows:

The Reich Minister of Public Enlightenment and Propaganda has jurisdiction over the whole field of spiritual indoctrination of the nation, of propagandizing the State, of cultural and economic propaganda, of enlightenment of the public at home and abroad; furthermore, he is in charge of the administration of all institutions serving these purposes.

Therefore, the Reich Minister of Public Enlightenment and Propaganda takes over the following jurisdictions:

1. From the jurisdiction of the Foreign Office:

   News services and enlightenment in foreign countries; art; art exhibitions; moving pictures and sport abroad.

2. From the jurisdiction of the Reich Ministry of the Interior:

   General domestic enlightenment;
   Academy of Politics;
   Establishment and celebration of national holidays and of state celebrations in conjunction with the Reich Minister of Interior;
   Press, (including the Institute for Journalism);
   Radio;
   National anthem;
   German Library in Leipzig;
   Art (however, with the exclusion of: the Institute for the History of Art in Florence; of protection of rights in literature and art; the catalogue of works of art of national value; German-Austrian agreement on export of art; protection of art and monuments; protection and care of landscape and natural monuments; national parks, maintenance of buildings of historical importance; for the Science of Folkdom; Reich Honor Monument).
   Music, including the Philharmonic Orchestra;
   Theater;
   Moving Pictures;
   Campaign against dirty and obscene literature.

3. From the jurisdiction of the Reich Minister of Economics and of the Reich Ministry for Nutrition and Agriculture; Propaganda in the field of business, exhibitions, fairs, and commercial publicity.

4. From the jurisdiction of the Reich Postministry and of the Reich Ministry of Transportation:

Propaganda for tourism.

Furthermore, there are transferred from the Reich Postministry all radio matters with the exclusion of the technical administration; the administration of the buildings of the Reich Radio Corporation and the Radio Corporation is not included in that exception. However, the Reich Minister of Public Enlightenment and Propaganda must participate in the technical administration to the extent necessary for the execution of his own duties, especially in fixing the conditions for renting radio installations and the regulation of fees.

The representation of the Reich in the Reich Radio Corporation and the Radio Corporation is entirely transferred to the Reich Ministry of Public Enlightenment and Propaganda.

In the areas designated, the Reich Minister for Public Enlightenment and Propaganda has the predominant jurisdiction, including legislation. The general regulations are valid so far as the other Ministers of the Reich have to participate.

Berlin, 30 June 1933

The Reich Chancellor

ADOLF HITLER

- - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2030-PS

19 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2030-PS.

FRED NIEBERGALL
2nd Lt Inf
0-1335567

H1136-0138

H1136-0139

TRANSLATION OF DOCUMENT 2031-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1938 REICHSGESETZBLATT, Part I, page 112

Decree concerning the setting up, of a secret cabinet Council
dated 4 Feb. 1938

(Erlass ueber die Errichtung eines Geheimen Kabinettsrat.)
Vom 4. Februar 1938

To advise me in conducting the foreign policy I am setting up a secret cabinet council.

As president of the secret cabinet council, I nominate:

Reichsminister Freiherr von NEURATH

As members of the secret cabinet council I nominate:

Reichsminister of the Exterior Joachim von RIBBENTROP
Prussian Prime Minister, Reichsminister of the Air, Supreme Commander of the Air Forces, General Field Marshall Hermann GOERING
The Fuehrer's Deputy, Reichsminister Rudolf HESS
Reichsminister for the enlightenment of the people and of propaganda, Dr. Joseph GOEBBELS
Reichsminister an Chief of the Reichs Chancellory Dr. Hans-Heinrich LAMMERS
The Supreme Commander of the Army, General Walther von BRAUCHITSCH
The Supreme Commander of the Navy, Grand Admiral Dr. (honorary) Erich RAEDER
The Chief of the Supreme Command of the Armed Forces Lt Gen Wilhelm KEITEL

The current affairs of the secret cabinet council are handled by the Reichsminister and Chief of the Reichs Chancellor.

Berlin, 4 February 1938

The Fuehrer and Reichs Chancellor
Adolf Hitler

The Reichsminister and Chief of the Reichs Chancellory
Dr. Lammers

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2031-PS

23 November 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2031-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

2031 PS

TRANSLATION OF DOCUMENT 2039-PS
OFFICE OF U S CHIEF OF COUNSEL

1942 REICHSGESETZBLATT, PART I, PAGE 419

Decree concerning the Conditions of Employment of Eastern Workers of 30 June 1942

Verordnung über die Einsatzbedingungen der Ostarbeiter vom 30. Juni 1942

The Ministerial Council for Defense of the Reich orders with force of law:

Chapter I

Definition of Eastern Worker

Article 1

Eastern workers are those laborers of non-German national origin who inhabited the Reich Commissariat for the Ukraine, the General Commissariat for White Russia, or territories bordering on these territories to the east or on the former free states of Lithuania and Estonia, and who were brought into the German Reich, including the Protectorate of Bohemia and Moravia, and employed there after the occupation by the German armed forces.

2039 PS

Chapter II

Conditions of Employment

Article 2

General Conditions

The eastern workers employed in the Reich have an employment relationship of a special type. German labor code and labor protection provisions shall be applicable to them only insofar as specifically stated.

Article 3

Compensation

1) The eastern workers employed in the Reich shall receive compensation graded according to their work.

2) The amount of this compensation shall be determined from the tables which are attached as an appendix to this decree.

3) In determining the compensation which is to be paid individual eastern workers under the appended tables, the point of departure shall be the wage-rate (hourly, piece and premium wage-rates) of comparable German workers.

If a part of the reference wage consists of payment in goods, such payment shall be considered equivalent, in determining this wage, to the rate calculated for it for German workers in the enterprise in event of payment in cash.

Social security deductions and payments of all kinds to which the German workers are subject shall not be included in the determination of the reference wage.

With respect to incentive payments, these shall be computed, in determining the reference wage, at the same rate at which they are made to German workers in the enterprise for the same work. If the eastern worker's production falls behind the average production of a German worker, a correspondingly reduced reference wage will be the point of departure in determining the compensation to be paid him.

Extra pay for difficult work, dirty work, etc. shall be included in determining the proper reference wage for calculating the individual eastern worker's compensation.

H1136-0140

4) The eastern worker shall receive compensation only for work actually performed; but the regulations on idleness resulting from bad weather may be applied in his case.

5) Higher compensation than that determined under these provisions may not be paid to eastern workers.

Article 4

Extra Rates and other Payments

Except as otherwise provided by the General Manpower Authority, eastern workers shall have no claim to extra compensation for overtime or Sunday, holiday, and night work. Per diem and maintenance payments, as well as travel and board expense payments, may not be made.

Article 5

Payment in Goods

1) The compensation due the individual eastern worker according to the tables appended to this decree shall be paid in cash at the end of the regular pay period for the enterprise after deduction of the equivalent of payments made in goods. The board and room furnished by the employer shall be computed according to the rates specified by the tables appended to this decree. Other payment in goods, such as clothing, shoes, etc., shall be computed at proportionate prices.

2) Employers may cover the commutation cost of eastern workers to and from the place of work for the entirety of eastern workers employed by them and make deductions for this expense from the amounts to be paid in cash according to the tables.

Article 6

Compensation in Case of Illness

For days on which the eastern worker is unable to work on account of sickness or accident, free board and room only shall be furnished by the employer, unless hospital care is given. In other respects the sick care of these workers shall be regulated by prescriptions issued by the Reich Minister of Labor.

Article 7

Leave and Family Visits

Leave and family visits will not be granted for the present. Detailed regulations concerning the institution of leave and family visits will be issued by the General Manpower Authority.

Article 8

Pay Invoices

Pay invoices shall not be issued to eastern workers.

Article 9

Exceptions

The Reich Trustee or Special Trustee of Labor may permit exceptions from the provisions of this decree in regard to the calculation of compensations.

Chapter III

Eastern Workers Tax

Article 10

Tax Obligation

1) Employers who use eastern workers within the German Reich, including the Protectorate of Bohemia and Moravia, are subject to a tax in amounts specified by the tables appended to this decree (Eastern Workers Tax).

2) Agricultural employers must pay only one half of this tax

Article 11

Accruement of the Tax

The Eastern Workers Tax accrues exclusively to the German Reich.

Article 12

Tax Exemption of Eastern Workers

Eastern workers must pay no wage tax nor citizen tax during their employment in the German Reich.

Chapter IV

Savings

Article 13

Eastern workers may lay up their compensation in whole or in part as savings with interest: the sum saved is transferred to the saver's homeland, and is there available to him or to members of his family according to detailed regulations issued by the Reich Minister for the Occupied Eastern Territories or by the Commander in Chief of the Armed Forces.

Chapter V

Grant of Powers

Article 14

1) The General Manpower Authority shall be empowered to issue, in consultation with the interested Reich ministers, regulations for the execution, implementation, and revision of Chapters I and II of this decree.

2) The Reich Minister of Finance shall be empowered to issue, in consultation with the General Manpower Authority, the Reich Minister of the Interior, the Reich Minister for the Occupied Eastern Territories and, insofar as eastern workers employed in agriculture are in question, with the Reich Minister for Food and Agriculture, regulations for the execution, implementation and revision of Chapter III of this decree.

3) The Reich Minister of Finance, in consultation with the General Manpower Authority, may change by executive order the amounts of the Eastern Workers Tax as specified in the appended tables.

4) The Reich Minister of Economic Affairs, the Reich Minister for the Occupied Eastern Territories, and the Commander in Chief of the Armed Forces shall be empowered to issue, in consultation with the General Manpower Authority, regulations for the execution and implementation of Chapter IV of this decree.

Chapter VI

Effective Date, Sphere of Validity

Article 15

1) This decree shall become effective 15 June 1942. The provisions of Chapters II and III shall be first applicable to compensation paid after 15 June 1942.

2) Articles 1 to 5 and Article 7, subsection 1, of the decree concerning taxing and treatment under the labor code for workers from the newly occupied eastern territories (StVAOst) of 20 January 1942 (RGBl I, p. 41), as well as the regulation of the Reich Minister of Labor concerning treatment under the labor code for workers from the newly occupied eastern territories of 9 February 1942 (Deutscher Reichsanz. No. 37 of 13 February 1942), shall become invalid on the effective date of this decree.

H1136-0142

H1136-0143

3) This decree shall be valid also in the Protectorate of Bohemia and Moravia and in the incorporated Eastern Territories.

Berlin, 30 June 1942

The Chairman of the Ministerial Council for Defense of the Reich and Commissioner for the Four Year Plan
Goering, Reich Marshal

The General Manpower Authority
By Deputy: Dr Stuckart

The Reich Minister and Chief of the Reich Chancellory
Dr Lammers

- - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2039-PS

17 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2039-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1136-0144

TRANSLATION OF DOCUMENT 2047-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1937 REICHSGESETZBLATT, PART I, PAGE 105

Law for the Extension of the Law Concerning the Removal of the Misery of the People and the Reich of 30 January 1937

Gesetz zur Verlängerung des Gesetzes zur Behebung der Not von Volk und Reich vom 30 Januar 1937

The Reichstag has decided unanimously to enact the following law which is hereby published:

Only Chapter

(1) The validity of the law for the removal of the misery of the people and the Reich of 24 March 1933 (RGBl I, p. 141) is being extended to 1 April 1941.

(2) The law on the reconstruction of the Reich of 30 January 1934 (RGBl p. 75) remains unchanged.

Berlin, 30 January 1937

The Fuehrer and Chancellor of the Reich
Adolf Hitler

The Reichs Minister of the Interior
Frick

2047 PS

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2047-PS

30 October 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2047-PS.

FRED NIEBERGALL
2nd Lt., Inf.,
O-1335567.

H1136-0145

TRANSLATION OF DOCUMENT 2048-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1939 REICHSGESETZBLATT, PART I, PAGE 95

Law

for the extension of the law containing the removal of the misery of the people and the Reich of 30 January 1939

Gesetz

zur Verlängerung des Gesetzes zur Vehebung der Not von Volk und Reich vom 30 Januar 1939

In completion of the law of 30 January 1937 (RGBl. I, p. 105), the Reichstag has decided unanimously to enact the following law which is hereby published:

1. The validity of the law on the removal of the misery of the people and the Reich of 24 March 1933 (RGBl. I, p. 141) is being extended to 10 May 1943.

2. The law on the reconstruction of the Reich of 30 January 1934 (RGBl. I, p. 75) remains unchanged.

Berlin, 30 January 1939.

The Fuehrer and Chancellor of the Reich
Adolf Hitler

The Reichs Minister of the Interior
Frick

2048 PS

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2048-PS

31 October 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2048-PS.

FRED NIEBERGALL,
2nd Lt., Inf.,
O-1335567.

TRANSLATION OF DOCUMENT 2073-PS
OFFICE OF U S CHIEF OF COUNSEL

Q

1936 REICHSGESETZBLATT, PART I, PAGE 487

Decree concerning the Appointment of a Chief of German Police in the Reich Ministry of the Interior of 17 June 1936

Erlass über die Einsetzung eines Chefs der Deutschen Polizei im Reichsministerium des Innern vom 17. Juni 1936

I.

For the unification of police duties in the Reich, a Chief of German Police is instituted for the German Ministry of the Interior, to whom is assigned the direction and conduct of all police affairs within the jurisdiction of the Reich and of the Prussian Ministries of the Interior.

II.

(1) For the Chief of German Police in the Reich Ministry of the Interior, the Deputy Chief of the Secret State Police of Prussia is declared to be Reichsfuehrer SS Heinrich HIMMLER.

(2) He is subordinated individually and directly to the Reich and the Prussian Ministries of the Interior.

(3) In their absence he represents for his jurisdiction the Reich and the Prussian Ministries of the Interior.

(4) He bears the service title: Reichsfuehrer SS and Chief of the German Police in the Reich Ministry of the Interior.

III.

The Chief of the German Police in the Reich Ministry of the Interior shares in the sessions of the Reich Cabinet, insofar as his jurisdiction is concerned.

IV.

I commission the Reich and the Prussian Ministries of the Interior with the conduct of this decree.

Berlin, 17 June 1936

The Fuehrer and Chancellor of the Reich
Adolf Hitler
The Reich Minister of the Interior
Frick

- - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2073-PS

31 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2073-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

2073 PS

H1136-0146

TRANSLATION OF DOCUMENT 2075 PS
OFFICE OF U.S. CHIEF OF COUNSEL

1937 REICHSGESETZBLATT, PART I, PAGE 187

Decree
for appointment of a chief of the organization of Germans abroad within the Foreign Office.
30 January 1937.

Erlass
ueber die Einsetzung eines Chefs der Auslands-Organisation im Auswaertigen Amt.
vom 30 Januar 1937.

I.

For uniform care for German Nationals abroad a Chief of the Organization of Germans abroad is appointed within the Foreign Office and to whom, at the same time, the leadership and processing of all affairs of German Nationals abroad within the jurisdiction of the Foreign Office will be given over.

II.

(1) As chief of the Organization for Germans abroad within the Foreign Office Gauleiter Ernst Wilhelm Bohle, director of the Organization for Germans abroad of the Nazi Party is appointed.

(2) His is a personal and immediate subordinate, to the Reich Minister for Foreign Affairs. His field of activity, as chief of the organization of German Nationals abroad of the Nazi Party and his subordination to the deputy of the Fuehrer are not affected.

(3) His official title is: Chief of Organization of Germans abroad within the Foreign Office.

III.

The Chief of Organization of Germans abroad of the Foreign Office participates in the sessions of the Reich Cabinet in so far as his field is concerned.

IV.

The Reich Minister for Foreign Affairs in agreement with the deputy of the Fuehrer will issue the implementative regulations of this decree.

Berlin, 30 January 1937.

The Fuehrer and Reichs Chancellor
Adolf Hitler

The Reich Foreign Minister
Freiherr von Neurath

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2075 PS

6 November 1945

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2075 PS.

FRED NIEBERGALL,
2nd Lt., Inf.,
O-1335567.

2075 PS

H1136-0147

H1136-0148

TRANSLATION OF DOCUMENT 2078-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1934 REICHSGESETZBLATT, PART I, PAGE 365

Decree concerning the establishment of the Reichs Ministry of Science, Education, and Popular Culture of 1 May 1934

Erlass über die Errichtung des Reichsministeriums für Wissenschaft, Erziehung und Volksbildung vom 1 Mai 1934

---

(1) For the entire system of education, training, and instruction of the Reich, as well as for the tasks of sience, a Reich Ministry for Science, education, and popular culture is established.

(2) The director of this office bears the title "Reich Minister for Science, Education and Popular Culture".

(3) The Chancellor of the Reich will determine the various duties of the Reich Ministry for Science, Education, and Popular Culture. He will also determine the duties which are transferred from the sphere of activity of the Reich Ministries affected to the new ministry and also even if the sphere of activity of the ministries concerned is fundamentally affected hereby.

Berlin, 1 May 1934

The President of the Reich
von Hindenburg

The Chancellor of the Reich
Adolf Hitler

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2078-PS

4 November 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2078-PS.

FRED NIEBERGALL,
2nd Lt., Inf.,
O-1335567.

2078 PS

1933 REICHSGESETZBLATT, PART I, PAGE 241

Decree relating to the Reich Air Ministry of
5 May 1933.

Verordnung über das Reichsluftfahrtministerium
Vom 5. Mai 1933.

A Reich Air Ministry is established as the highest Reich authority for Aviation. The Chief of this office shall have the title "Reich Air Minister".

Jurisdiction will include the functions of the Reich in Aviation; the functions and authority of the now abolished Reichskommissar (Reich Commissioner) for Aviation are transferred to the Reich Air Minister.

This decree is effective from 1 May 1933.

Berlin, 5 May 1933.

The Reichpresident
von Hindenburg

The Reich Chancellor
Adolf Hitler

The Reich Commissioner for Aviation
Göring

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2089-PS

2 November 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2089-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

2089 PS

H1136-0149

H1136-0150

TRANSLATION OF DOCUMENT 2090-PS
OFFICE OF U.S.CHIEF OF COUNSEL

1935 REICHSGESETZBLATT, PART I, PAGE 1029

Decree relating to the Coordination of the Jurisdiction of the Reich and Prussia in relation to Church affairs of 16 July 1935

"Erlass uber die Zusammenfassung der Zustandigkeiten des Reichs und Preussens in Kirchenangelegenheiten vom 16.Juli 1935.

Those church affairs, which have hitherto come within the jurisdiction of the Reich and Prussian Ministry of the Interior as well as by the Reich and Prussian Ministry for Science, Education and National Culture, are transferred to the Reich Minister without Portfolio,KERRL.

The Reich and Prussian Ministers concerned will issue more specific regulations for the execution of this decree.

Berlin, 16 July 1935.

The Fuhrer and Reich Chancellor
Adolf Hitler

The Reich Minister of the Interior
Frick

The Reich Minister for Science, Education and National Culture
Rust

The Prussian Minister Prasident

By order

Körner

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2090-PS

9 November 1945

I, A. OLSEN, 2nd Lt., A.U.S., O-2015973, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2090-PS.

A. OLSEN
2nd Lt., AUS
O-2015973

2090 PS

TRANSLATION OF DOCUMENT 2091-PS
OFFICE OF U. S. CHIEF OF COUNSEL

1940 REICHSGESETZBLATT, PART I, PAGE 513

Decree of the Führer and Reich Chancellor Appointing a Reich Minister for Armaments and Munitions
17 April 1940

"Erlass das Führer's und Reichskanzlers über die Bestellung eines Reichsministers für Bewaffung und Munition"
vom 17 März 1940

In order to consolidate the highest leadership of all offices engaged in the production of armaments and munitions in the Greater German Reich including the German Government for the occupied Polish territories, I am appointing a Reich Minister for Armaments and Munitions. I appoint as Reich Minister for Armaments and Munitions the General Inspector of the German Highways Dr. Engineer Todt. The issuance of administrative regulations are reserved by me.

Berlin, 17 March 1940.

The Fuehrer and Reich Chancellor
Adolf Hitler

The President
for the Council of the Ministry for the Defense of the Reich
Göring
General Field Marshal

The Chief of the Supreme Command of the Armed Forces
Keitel

The Reich Minister and Chief of the Reich Chancellory
Dr. Lammers

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2091-PS

30 October 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2091-PS.

FRED NIEBERGALL
2nd Lt, Inf.,
O-1335567.

2091 PS

H1136-0151

H1136-0152

TRANSLATION OF DOCUMENT 2092-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1943 REICHSGESETZBLATT, PART I, PAGE 529

Decree of the Führer for the Concentration of the War Economy
2 September 1943

Erlass des Führers über die Konzentration der Kriegswirtschaft.
vom 2 September 1943

Considering the closer co-ordination and the unified employment of all economic forces, demanded by the necessities of war, I order for the duration of the war:

Article 1

The Reich Minister of Economy is competent for the basic economic-political questions of German economy.

Article 2

The competence of the Reich Minister of Economy in the realm of raw materials and production in industry and the trades are transferred to the Reich Minister for Armament and Munitions. The Reich Minister Armament and Munitions will carry the designation, because of his enlarged realm of activity, of

"Reich Minister for Armament and War Production."

Article 3

(1) The Reich Minister of Economy remains competent for the supply of the civilian population with consumer goods and for their rationing.

(2) The Reich Minister of Economy is competent in the realm of raw materials and of the production in industry and trades and in the realm of commerce for the treatment of foreign commerce questions within the frame of the foreign trade policy of the Reich.

(3) Furthermore, he is responsible within the realm of the entire foreign trade, for the maintenance of the general economic view-points in the framework of the active German economic planning, and to direct German economy accordingly.

2092 PS

(4) The competence of the Reich Minister of Foreign Affairs in regard to the foreign trade policy of the Reich, and in regard to the preparation and execution of foreign trade policy conferences, remains untouched.

Article 4

(1) The Reich Minister for Economy is charged with the topmost supervision over the credit institutes, the supervisory and administrative rights, which belong, according to law or constitution, to the subordinated Reich or state authorities, are transferred to him. He delegates the supervisory or administrative rights to the subordinated officials, so far as he is not required to take care of them himself for special reasons.

(2) He is competent for the financial questions of the German economy.

Article 5

The authorities of the Reichsmarshal of the greater German Reich as Commissioner for the Four-Year Plan, remains untouched.

H1136-0153

Article 6

This proclamation applies to the area of the greater German Reich including the incorporated Eastern territories and the Protectorate. In the protectorate also, the Reich Minister for Armament and War Production is competent in the realm of raw materials and the production in industry and the trades.

Article 7

The legal and aministrative regulations, necessary for the execution and completion of articles 2, 3, and 4, will be issued: For Article 2 by the Reich Minister for Armament and War Production together with the Reich Minister for economy. For Articles 3 and 4 by the Reich Minister of Economy in agreement with the Reich Ministers concerned.

Führer Headquarters, 2 September 1943.

The Führer
Adolf Hitler

The Reich Minister and Chief of Reich Chancellory
Dr. Lammers.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2092-PS

1 November 1945.

I, WILLARD EVANS SKIDMORE, LT (jg), USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2092-PS.

WILLARD EVANS SKIDMORE
LT (jg), USNR,
391590.

TRANSLATION OF EXCERPT OF
DOCUMENT 2093-PS
OFFICE OF U S CHIEF OF COUNSEL

1934 REICHSGESETZBLATT, PART I, PAGE 617

First Executive Order relating to the Transfer of Forestry and Hunting Matters to the Reich of 12 July 1934.

Erste Durchführungsverordnung zur Überleitung des Forst - und Jagdwesens auf das Reich
Vom 12. Juli 1934.

Article 1.
Section (2)

The Reichsforstmeister (Reich Conservator of Forests) has as Chief of the Reichsforstamt (Reich Board of Woods and Forests) the position and the authority of a Reichminister.

Berlin, 12 July 1934.

The Reichminister of the Interior
Frick

The Reich Forester
Göring

The Reich Minister for Food and Agriculture
R. Walther Darre

CERTIFICATE OF TRANSLATION
OF EXCERPT OF DOCUMENT 2093-PS

2 November 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Excerpt of Document No. 2093-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

2093 PS

H1136-0154

H1136-0155

TRANSLATION OF DOCUMENT 2094-PS
OFFICE OF U S CHIEF OF COUNSEL

1937 REICHSGESETZBLATT PART I, PAGE 95

Decree of the Führer and Reich Chancellor
Concerning the Reich Labor Leader in the Reich Ministry
of the Interior
of 30 January 1937

Erlass des Führers und Reichskanzlers
über den Reichsarbeitsführer im
Reichsministerium des Innern.
vom 30. Januar 1937.

ARTICLE 1.

. . . . . .

ARTICLE 2.

. . . . . .

ARTICLE 3.

The Reichslabor leader in the ReichsMinistry of the Interior will participate in sessions of the ReichsCabinet, in so far as matters under his jurisdiction are concerned.

Berlin, 30 Jan 1934. -

The Führer and ReichsChancellor
Adolf Hitler

The ReichsMinister of the Interior
Frick

- - - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2094-PS

---

2 November 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certufy that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2094-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

2094 PS

H1136-0156

TRANSLATION OF DOCUMENT 2095-PS
OFFICE OF U S CHIEF OF COUNSEL

1943 REICHSGESETZBLATT, PART I, PAGE 495

Decree of the Fuehrer
on the Establishment of a Supreme Reich Authority =
"The Reich Labor Leader"
of 20 August 1943.

Erlass des Führers
über die Errichtung einer Obersten Reichsbehörde =
"Der Reichsarbeitsführer"
Vom 20. August 1943.

In Amendment of the Reich Labor Service Law, in the form of the proclamation of 9 September 1939 (RGBl I, p. 1747), and of my decree of 30 January 1937 (RGBl I, p. 95), I ordain:

I

Under the title "The Reichs labor leader", a Supreme Reichs Authority will be established, with a seat in Berlin.

II

(1) The Reich Labor Service is under the jurisdiction of the Reich Labor Leader.

(2) The powers of the Reichminister of the Interior derived from laws, decrees and orders concerning the Reich Labor Service will be transferred to the Reich Labor Leader. The processing of matters concerning the Reich Labor Service will no longer fall under the competence of the Reichminister of the Interior.

(3) The Reich Labor Leader is under my immediate jurisdiction.

Führer - Headquarters, 20 August 1943.

The Führer
Adolf Hitler

The Reichminister & Chief of the Reich Chancellory
Dr. Lammers

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2095-PS

3 November 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2095-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

2095-PS

H1136-0157

TRANSLATION OF DOCUMENT 2097-PS
OFFICE OF U S CHIEF OF COUNSEL

1937 REICHSGESETZBLATT, PART I, PAGE 1317

Decree of the Führer and Reich Chancellor relating to Designation of the Chief of the Präsidialkanzlei.
Vom 1 December 1937

Erlass des Führers und Reichskanzlers über die Amtsbezeichnung des Chefs der Präsidialkanzlei
Of 1 December 1937

The State secretary and chief of the Präsidialkanzlei will carry in the future the official designation "State Minister and chief of the Präsidialkanzlei of the Führer and Reich Chancellor." He will be equal in rank to a Reich Minister.

Berlin, 1 Dec 1937

The Führer and Reich Chancellor
Adolf Hitler

The State Secretary and Chief of the
Präsidialkanzlei

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2097-PS

14 November 1945

I, ARNE OLSEN, 2nd Lt., AUS, 0-2015976, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document No. 2097-PS.

ARNE OLSEN
2nd Lt., AUS
0-2015976.

2097 PS

H1136-0158

TRANSLATION OF DOCUMENT 2098-PS
OFFICE OF U S CHIEF COUNSEL

1938 REICHSGESETZBLATT, PART I, PAGE 215

D e c r e e
relating to the Status of the Supreme Commanders
of the Army and Navy
of 25 Feb 1938

E r l a s s
ueber die Stellung der Oberbefehlshaber des Heeres
und der Kriegsmarine
vom 25.Febr.38

The Supreme Commander of the Army, General von Brauchitsch, carries the equivalent rank of a Minister of the Reich - as has already been the case with the Supreme Commander of the Navy, Admiral Dr. h.c. Raeder.

Following my orders, the Supreme Commanders of the Army and Navy shall participate in the meetings of the Reich Cabinet.

Order No. 461 of April 20, 1936 (Heeresverordnungsblatt page 163) is rescinded.-

Munich, 25 Feb 1938

Der Fuehrer and Reich Chancellor

Adolf Hitler

The Reich Minister and Chief of the
Reich Chancellory

Dr. Lammers

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2098-PS

10 November 45

I, GOETZ MAYER, T/5, 33812169, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document Nr. 2098-PS.

GOETZ MAYER
T/5, 33812169

2098 PS

H1136-0159

TRANSLATION OF DOCUMENT 2099-PS
OFFICE OF U S CHIEF OF COUNSEL

1941 REICHSGESETZBLATT, PART I, PAGE 295

Fuehrer Decree Relating to the Chief of
the Party Chancellory of 29 May 1941

Erlass des Fuehrers
Ueber die Stellung des Leiters der Partei-Kanzlei
Vom 29 Mai 1941

By order of May 12, 1941, I decree for the National Socialist German Labor Party that the hitherto existing office of Deputy Fuehrer would be designated from then on as Party Chancellory under my personal jurisdiction. In order to guarantee closest collaboration of the Party Chancellory with the Supreme Reich Authorities, I order in this connection:

The Chief of the Party Chancellory, Reich Leader Martin Bormann, has the powers of a Reich Minister; he is member of the Reich Government and the Ministerial Council for Reich Defense. Wherever in connection with laws, orders, decrees, ordnances, and other regulations the term "Deputy Fuehrer" is used, it will be replaced by "Chief of the Party Chancellory". The instructions necessary for the execution and supplementing of this decree will be given by the Reich Minister and Chief of the Reich Chancellory in agreement with the Chief of the Party Chancellory.

Headquarters of the Fuehrer, 29 May 1941

The Fuehrer

ADOLF HITLER

The Reich Minister & Chief of the Reich Chancellory

Dr. Lammers

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2099-PS

2 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2099-PS.

FRED NIEBERGALL
2nd Lt. Inf.
O-1335567

2099 PS

TRANSLATION OF DOCUMENT 2100-PS
Office of U. S. Chief of Counsel

REICHSGESETZBLATT

Part I

1942 Berlin 24 January 1942 No. 6 Page 35

Directive

About the application of the Fuehrer decree regarding the Position of the chief of the Party Chancellery, dated 16 January 1942.

Based on the Fuehrer decree about the position of the chief of the Party Chancellery, dated 29 May 1941, (RGB I, page 295) the following is decreed:

Par. I

(1) The participation of the Party in legislation is handled exclusively through the chief of the Party Chancellery unless otherwise directed by the Fuehrer. Proposals and suggestions for legislation coming from the Party, its organizations and affiliated associations, may be submitted to the competent supreme Reich authorities only through the chief of the Party Chancellery.

(2) The same procedure regarding collaboration of the Party in personnel questions of civil sevants will be used exclusively through the chief of the Party Chancellery.

Par. 2

In legislative functions the position of the chief of the Party Chancellery will be that of a participating Reichs Minister in all cases. The supreme Reich authority will therefore include him in the preparations for Reich laws, for decrees and directives of the Fuehrer, for directives of the Counsels of Ministers for the Defense of the Reich, as well as directives of the supreme Reich authorities to include executive directives and general directives. The same applies to his concurrence with laws and directives of the states and directives of the Reich deputies (Reichsstadthalter).

Par. 3

In fundamental and political questions, in particular those which serve to prepare, change or put into effect laws, decrees and directives, the channels between the supreme Reich authorities and the supreme authorities of the states which include several Gaue on the one hand, and the offices of the Party, its organizations and affiliated associations on the other hand, go through the chief of the Party Chancellery. Direct communication between the supreme Reich authorities and the supreme State autorities with other offices of the Party is not permissible in these cases. This applies to personnel matters regarding civil servants in as far as there are no special regulations.

Fuehrer Headquarters, 16 January 1942.

The Reichs Minister and Chief of the Reich Chancellery
Dr. Lammers
The Chief of the Party Chancellery
M. Bormann

2100 PS

H1136-0160

H1136-0161

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2100-PS

7 November 1945

I, EDGAR SQUARER, 2nd Lt., Inf., O-1332102, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document No. 2100-PS.

EDGAR SQUARER,
2nd Lt., Inf.,
O-1332102

TRANSLATION OF DOCUMENT 2101-PS
OFFICE OF U S CHIEF OF COUNSEL

1941 REICHSGESETZBLATT, PART I, PAGE 192

Decree of the Führer and Reich Chancellor concerning
the Inspector General of the German Highways Administration
of the 3rd of April 1941.

Erlass des Führers und Reichskanzlers
über den Generalinspektor für das Deutsche Strassenwesen
Vom 3. April 1941.

The Inspector General of the German Highways Administration has the power of a Reich Minister.

Berlin, April 3, 1941.

The Führer and Reich Chancellor
Adolf Hitler

The Reichminister and Chief of the Reich Chancellory
Dr. Lammers

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2101-PS

3 November 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2101-PS.

FRED NIEBERGALL
1st Lt Inf
O-1335567.

H1136-0162

H1136-0163

PARTIAL TRANSLATION OF DOCUMENT NO. 2102-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1941 Reichsgesetzblatt part 1, P. 467

Decree of the Fuehrer and ReichChancellor concerning the Inspector General for Water and Power of 29 July 1941.

Erlass des Fuehrers und Reichskanzlers ueber den Generalinspektor fuer Wasser und Energie. Vom 29. July 1941.

In consideration of the special needs of the war and the necessity of unified planning in the Greater German Territory I appoint for the administration and reconstitution of the power development and the Power and Water administration an

Inspector General for Water and Power.

He has within the field of his activity the position and authority of a Reichsminister and a Prussian Minister. His office is the highest Reichsauthority and the highest Provincial authority in Prussia.

To the office of Inspector General for Water and Power I nominate the Inspector General for the German Highways, Reichsminister Dr. Todt.

I. Power administration.

(1) The responsibilities of the Reichsminister for Economics in the realm of power administration especially according to the law for the advancement of the power administration (Power administration law) of December 13, 1935 (Reichsgesetzblatt I, Page 1451) are transferred to the Inspector General for Water and Power.

(2) Art. 1 Sect. 2 of the power administration law receives the following interpretation:

"(2) The supervision is done by the Inspector General for Water and Power."

(3) The Reichsminister for Economics remains responsible for
a) the determination of the Electrical current demands of the industry and the requesting of the necessary amounts of power;

b) the preparation of the materials and coal required by the power industry;

c) the approval for the use of the stock market for the purpose of the power industry in accordance with the generally valid regulations and the adjustment of the claims of the power industry on the money and stock market with regards to the requirements of the entire industrial economy;
d) the approval for the rearrangement of the legal constitution of enterprises of the power industry especially for registered corporations, and for the introduction of new legal constitution in the field of the registered trade corporations.

II. Water Administration.

(1) The responsibilities of the Reich Minister and Prussian Minister for Food and Agriculture and of the Reich Minister and Prussian Minister for Transportation in the field of Water Administration and the waterways are transferred to the Inspector

2102 PS

H1136-0164

PARTIAL TRANSLATION OF DOCUMENT NO. 2102-PS
Continued

General for Water and Power.

(2) The Reich- and Prussian Minister for Food and Agriculture remains responsible for the Agricultural matters in the Water Administration, namely for the carrying out of the agricultural accommodations (Folgeeinrichtungen). The Inspector General for Water and Power decides, in agreement with the Reichminister for Food and Agriculture, concerning the carrying out of improvements in Agriculture and in the Fisheries as well as concerning the bearable burdens of the land owners.

(3) The Reich- and Prussian Minister for Transportation remains responsible for the traffic on the waterways.

(4) The Inspector General for Water and Power may transfer the technical supervision concerning the planning and the carrying out of Water Administrative measures and harbor constructions, to the water construction agencies, in so far as the execution does not lie in the hands of official agencies.

III. Mutual regulations.

(1) The Inspector General for Water and Power takes over at the very latest by April 1, 1942 the personnel of the Reich and of Prussia, which are occupied with the assignments now transferred to him. The Reich Minister for Economics, the Reich Minister for Food and Agriculture and the Reich Minister for Transportation will immediately make available to him the pertinent business groups. Also included in this transfer are the furnishings and office material belonging thereto. The details of the transfer will be agreed upon by the participating Reich Ministers.

(2) For the execution of his missions the Inspector General for Water and Power may create corporations, institutions of a public legal nature or commercial legal companies, or other institutions in using new legal procedures.

(3) The Reich Minister for the Interior and the Inspector for the field of responsibility transferred to them under inclusion of the road administration to prepare the development of a uniform administration within the frame work of the general administration.

The Fuehrer and Reich Chancellor
Adolf Hitler
The Reich Minister and Chief of the Party Chancellory
Dr. Lammers

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2102-PS

11 November 1945

I, WILLARD EVANS SKIDMORE, Lt.(jg), USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpt from Document 2102-PS.

WILLARD EVANS SKIDMORE
Lt.(jg), USNR
391590

H1136-0165

TRANSLATION OF DOCUMENT 2103-PS
OFFICE OF US CHIEF OF COUNSEL

1943 REICHSGESETZBLATT, PART I, PAGE 295

Decree of the Fuehrer on the Cabinet Legislation of 10 May 1943

Erlass des Führers über die Regierungsgesetzgebung vom 10 Mai 1943

Considering that the law of 24 March 1933 (RGBl I, p. 141) expires formally on 10 May 1943, I ordain:

The Reich Cabinet has to continue to exercise the powers entrusted to it by the law of 24 March 1933.

I reserve it to myself, to bring about the confirmation of these powers of the Reich Cabinet by the Greater German Reichstag.

Headquarters of the Fuehrer, 10 May 1943.

The Fuehrer
Adolf Hitler

The Reich Minister and Chief of the Reich Chancellory.
Dr. Lammers.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2103-PS

30 October 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2103-PS.

FRED NIEBERGALL
2nd Lt., Inf.,
O-1335567.

2103 PS

PARTIAL TRANSLATION OF DOCUMENT 2746 PS
OFFICE OF U.S. CHIEF OF COUNSEL

H1136-0166

ORGANISATION OF CRIMINAL JURISDICTION

Decree concerning the Organisation of Criminal Jurisdiction against Poles and Jews in the Incorporated Eastern Territories, 4th December 1941.
(Reichsgesetzblatt, Part I, 1941, p. 759-761)
The Council of Ministers for the Defense of the Reich herewith decrees:

1. CRIMINAL LAW

I

(1) Poles and Jews in the Incorporated Eastern Territories are to conduct themselves in conformity with the German Laws and with the regulations introduced for them by the German authorities. They are to abstain from any any conduct liable to prejudice the sovereignity of the German Reich or the prestige of the German people.

(2) The death penalty shall be imposed on any Pole or Jew if he commits an act of violence against a German on account of his being of German blood.

(3) A Pole or Jew shall be sentenced to death, or in less serious cases to imprisonment, if he manifests anti-German sentiments by malicious activities or incitement, particularly by making anti-German authorities or offices, or if he, by his conduct, lowers or prejudices the prestige or the well-being of the German Reich or the German people.

(4) The death penalty or, in less serious cases, imprisonment shall be imposed on any Pole or Jew:

1. If he commits any act of violence against a member of the German Armed Forces or associated services, of the German Police Force or its auxiliaries, of the Reich Labor service, of any German authority or office or of a section of the N.S.D.A.P.;

2. If he purposely damages installations of the German authorities or offices, objects used by them in performance of their duties or objects of public utility;

3. If he urges or incites to disobedience to any decree or regulation issued by the German authorities;

4. If he conspires to commit an act punishable under subsections (2), (3) or (4), paragraphs 1 to 3, or if he seriously contemplates the carrying out of such an act, or if he offers himself to commit such an act, or accepts such an offer, or if he obtains credible information of such act, of of the intention of committing it, and fails to notify the authorities or any person threatened thereby at a time when danger can still be averted;

5. If he is in unlawful possession of firearms, hand-grenades or any weapon for stabbing or hitting, of explosives, ammunition or other implements of war, or if he has credible information that a Pole or a Jew is in unlawful possession of such object, and fails to notify the authorities forthwith.

II

Punishment shall also be imposed on Poles or Jews if they act contrary to German Criminal Law or commit any act for which they deserve punishment in accordance with the fundamental principles of German Criminal Law and in view of the interests of the State in the Incorporated Eastern Territories.

III

(1) Penalties provided for Poles and Jews are: imprisonment, fine or confiscation of property. The term of imprisonment is to be not less than three months and not more than ten years in a penal camp; for more serious offences-from two to fifteen years in a penal camp in which a more severe regimen is enforced.

(2) The death sentence shall be imposed in all cases where it is prescribed by the law. Moreover, in those cases where the law does not provide for the death sentence, shall be imposed if the offence points to particularly objectionable motives or is particularly grave for other reasons; the death sentence may alsobe passed upon juvenile offenders.

2746 PS

(3) The minimum penalty or a fixed penalty prescribed by the German Criminal Law cannot be reduced unless the criminal act is directed against the offender's own people exclusively.

(4) If a fine cannot be recovered, imprisonment in a penal camp from one week to one year shall be imposed in lieu.

2. CRIMINAL PROCEDURE

IV

The State Prosecutor shall prosecute a Pole or a Jew if he considers that punishment is in the public interest.

V

(1) Poles and Jews shall be tried by a Special Court or by the District Judge.

(2) The State Prosecutor may institute proceedings before a Special Court in all cases. Proceedings may be instituted by him before a District Judge if the punishment to be imposed is not likely to be heavier than five years in a penal camp, or three years in a more rigorous penal camp.

(3) The jurisdiction of the People's Court remains unaffected.

VI

(1) Every sentence will be enforced without delay. The State Prosecutor may, however, appeal from the sentence of a District Judge to the Court of Appeal. The appeal has to be lodged within two weeks.

(2) The right to lodge complaints which are to be heard by the Court of Appeal is reserved exclusively to the State Prosecutor. The appeal is decided by the Obergandesgericht.

VII

Poles and Jews cannot challenge a German Judge on account of alleged partiality.

VIII

(1) Arrest and temporary detention are allowed whenever there are good grounds to suspect that an offence has been committed.

(2) During the preliminary inquiry, the State Prosecutor may order the arrest and any other coercive measures permissable.

IX

Poles and Jews are not sworn in as witnesses in criminal proceedings. If the unsworn deposition made by them before the Court is found false, the provisions as prescribed for perjury and false depositions on oath shall be applied accordingly.

X

(1) Only the State Prosecutor may apply for the reopening of a case. In a case tried before a Special Court, the decision concerning an application for the reopening of the proceedings rests with this Court.

(2) The right to lodge a plea of nullity rests with the State Prosecutor General. The decision on the plea rests with the Court of Appeal.

XI

Poles and Jews are not entitled to act as prosecutors either in a principal or a subsidiary capacity.

XII

The Court and the State Prosecutor shall conduct proceedings within their discretion and according to the principles of the German Law of Procedure. They may, however, dispense with the provisions of the German Law on the Organisation of Courts and on Criminal Procedure, whenever this may appear to them advisable for the rapid and more efficient conduct of proceedings.

3. MARTIAL LAW

XIII

(1) Subject to the consent of the Reich Minister of the Interior and the Reich Minister of Justice, the Reich Governor (Oberpraesident) may until further notice enforce Martial Law in the Incorporated Eastern Territories, either in the whole area under his jurisdiction or in parts thereof, upon Poles and Jews guilty of grave excesses against the Germans or of other offences which seriously endanger the German work of reconstruction.

(2) The Courts established under Martial Law impose the death sentence. They may, however, dispense with punishment and refer the case to the Secret State Police.

(3) Subject to the consent of the Reich Minister of the Interior, the constitution and procedure of the Courts established under Martial Law shall be regulated by the Reich Governor (Oberpraesident).

4. EXTENT OF APPLICATION OF THIS DECREE

XIV

(1) The provisions contained in Sections I-IV of this Decree apply also to those Poles and Jews who on 1st September, 1939, were domiciled or had their residence within the territory of the former Polish State, and who committed criminal offences in any part of the German Reich other than the Incorporated Eastern Territories.

(2) The case may also be tried by the Court within whose jurisdiction the former domicile or residence of the offender is situated. Sections V-XII apply accordingly.

(3) Paragraphs 1 and 2 do not apply to offences tried by the Courts in the Government General.

5. SUPPLEMENTARY PROVISIONS

XV

Within the meaning of this Decree the term "Poles" mean Schutzangehoerige or those who are stateless.

XVI

Article II of the Decree of 6th June, 1940, concerning the Introduction of German Criminal Law in the Incorporated Eastern Territories (Reichsgesetzblatt, Part I, p.844) no longer applies to Poles and Jews.

XVII

The Reich Minister of Justice, in concurrence with the Reich Minister of the Interior, is authorized to issue rules and administrative regulations concerning the execution and implementation of this Decree and to decide in all cases of doubt.

H1136-0168

XVIII

This Decree shall come into force on the fourteenth day after its publication.

Berlin, 4 December 1941

The president of the ministerial councel for Reich defense
Goering, Reich Marshal

The plenipotentiary for Reich administration
Frick

The Reich minister and chief of the Reich Chancellory
Dr. Lammers.

CERTIFICAT OF TRANSLATION
OF DOCUMENT 2746 PS

15 November 1945

I, ERNST M. COHN, PFC, 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2746 PS.

ERNST M. COHN
PFC, 33925738

H1136-0169

Filed Dec 18, 1945
HBW

X

H-1136

INTERNATIONAL MILITARY TRIBUNAL

DOCUMENT BOOK

"X"

DIE REICHSREGIERUNG (REICH CABINET)

ROBERT H. JACKSON
U.S. CHIEF OF COUNSEL

OF COUNSEL: LT. CDR. WILLIAM S. KAPLAN
KATHERINE B. FITE

H1136-0170